

**HEALTH & HUMAN SERVICES COMMITTEE**  
**of the**  
**Suffolk County Legislature**

**Minutes**

A regular meeting of the Health & Human Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **October 28, 2004**.

**Members Present:**

Legislator Paul Tonna • Chairman

Legislator Lynne Nowick • Vice•Chair

Legislator Brian Foley

Legislator Daniel Losquadro

Legislator Ricardo Montano

Legislator Jay Schneiderman

Legislator Vivian Vilorio•Fisher

Legislator Elie Mystal

**Also in Attendance:**

Legislator William Lindsay

Mea Knapp • Counsel to the Legislature

Dan Hickey • Aide to Presiding Officer Caracappa

Linda Bay • Aide to Presiding Officer Caracappa

Ron Cohen • Aide to Legislator Tonna

Terrence Pearsall • Aide to Legislator Lindsay

Ilona Julius • Deputy Clerk/Suffolk County Legislature

Jim Spero • Director/Budget Review Office

John Ortiz • Senior Budget Analyst/Budget Review Office

Diane Dono • Budget Review Office

Kevin LaValle • Aide to Legislator Losquadro

Adam Santiago • County Executive Assistant

Janet DeMarzo • Commissioner/Department of Social Services

Ed Hernandez • Deputy Commissioner/Department of Social Services

Linda O'Donohoe • Assistant to the Commissioner/Dept of Social Services  
Dr. Brian Harper • Commissioner/Department of Health Services  
Joah Sapphire • Deputy Commissioner/ Department of Health Services  
Vito Minei • Director of Environmental Quality/Health Department  
Walter J. Hilbert • Wastewater Management  
Ben Zwirn • Assistant County Executive  
Ann Druckenmiller • Executive Director/GJ Ryan Outreach  
Janet Walerstein • Child Care Council of Suffolk, E.D.  
Herb Cohen • Family Service League/Suffolk Coalition of Mental Health Providers  
Mike Stoltz • Clubhouse of Suffolk Coalition of Mental Health Providers  
Theresa Santmann • Little Flower Nursing Home  
Robin Heller • March of Dimes  
Tom Ryan • March of Dimes  
Annette Kosar • March of Dimes  
Amea Bay • March of Dimes.  
Camille Harlow • Christian Nursing Registry.  
Ann Moran•Smith • The Ministries  
Steve Moll • Lake Grove Treatment Center  
Shannon O'Neill • Lake Grove Treatment Center  
Stanley DeVeaux • Dr. Martin Luther King Health Center Advisory Board  
Marilyn Shellabarger  
Terence Smith  
Peter Wong  
Dolores Thompson  
John Bogack  
Susan Metallo  
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

***[THE MEETING WAS CALLED TO ORDER AT 9:45 A.M.]***

**CHAIRMAN TONNA:**

All rise for the Pledge. We're going to have the intelligent Andrew Crecca lead us in the Pledge.

***(Salutation)***

***(Applause)***

Thank you very much. I can see that he has his mother's genes. Very good, young man, very good. All right. We have cards. Okay. Herb Cohen.

By the way, just in general, I'm looking at some of the cards. We had public hearings last week with regard to budget issues. How many people here are about budget issues? Okay. All right. I would ask, you know, just that because, again, we have committees all day, I would just ask the people try to be as succinct as possible. All right? Actually in the area of testimony, less is more, believe it or not, less is more. All right? We can focus a little better and you won't have Legislators leaving, you know, and not being able to listen to the testimony. Okay. Herb? Thank you.

**MR. COHEN:**

My name is Herb Cohen, yes. I direct a continuing day treatment program for people with serious mental illness in Huntington for Family Service League, but I'm here as well providing testimony on behalf of the Suffolk Coalition of Mental Health Providers.

The nonprofit mental health providers are, first of all, very grateful for receiving a 2% increase in County funding for 2005. However, modest increases continue to be out•paced by rising operating costs. These combined with other factors, including the down•sizing of both the State in•patient and out•patient programs, and the limits set by Medicaid Neutrality Act have resulted in an unprecedented crisis in the current mental health delivery system in Suffolk County.

There are dangerous waiting lists in every aspect of service, from hospital beds to case management slots to clinical out•patient services. The \\_C•PEP\\_ , the State central emergency

room at Stony Brook, went on diversion status four times last quarter, which means there were no available psychiatric beds in all of Suffolk, and all emergencies had to be diverted to Nassau or Queens. People in between services are vulnerable to relapse without adequate interventions, and I know that one way the waiting list at my facility shrinks is when people end up back in an acute care setting, costing taxpayers more and more money.

We now have 23 adult homes closing •• closed or closing with nearly 1,000 people being displaced. The daily number of people with mental illness seeking housing is in the hundreds daily. Access to housing, case management and clinical support have now reached an all time low. It's no wonder more mentally ill people are self medicating with drugs and alcohol and finding themselves homeless, ending up in the County Jail.

According to the National Alliance for Mentally Ill, 40% of mentally ill adults will end up in the American justice system at some point in their life, and, currently, 16% of our current prison population nationwide suffers from serious mental illness. That figure, according to the Riverhead Jail officials, is consistent with our •• the current incarcerated population here in Suffolk. It is estimated to be 256 inmates, and more at risk daily, contributing to the County's overcrowd •• prisons overcrowding, and it costs \$225 per day, creating an annual cost of \$21,024,000.

People suffering from mental illness and the taxpayers of Suffolk County both deserve better. Fortunately, a major portion of the 21 million dollars can be saved with a small amount invested in diverting future nonviolent arrests ••

**CHAIRMAN TONNA:**

Sir.

**MR. COHEN:**

•• into appropriate dedicated community•based funding ••

**CHAIRMAN TONNA:**

Sir.

**MR. COHEN:**

•• services.

**CHAIRMAN TONNA:**

I'm sorry, you have to •• your three minutes are up. I'm sorry.

**MR. COHEN:**

Can I leave this written testimony?

**CHAIRMAN TONNA:**

Yes, the testimony, yes. And I'd say to everyone, you have three minutes, so that's why I'm saying less is more. Three minutes, make sure you want to make your point. Sir, I'll ask you one question, because you look a little surprised.

**MR. COHEN:**

Yeah.

**CHAIRMAN TONNA:**

Okay? Just •• and I would ask just one quick question. If you had one sentence to summarize, or two sentences to summarize what, you know, your conclusion would be, it's •• besides wanting more money ••

**MR. COHEN.**

No.

**CHAIRMAN TONNA:**

No?

**MR. COHEN:**

It's not that.

**CHAIRMAN TONNA:**

Okay. What is it?

**MR. COHEN:**

What I'm saying is that we're misspending the money we have. Twenty•one million dollars

warehousing people with mental illness in jail when they could be diverted through a mental health court and getting treatment could cost the County three million dollars instead.

**CHAIRMAN TONNA:**

Right. Have you spoken ••

**MR. COHEN:**

You'd save a lot of money.

**CHAIRMAN TONNA:**

Have you spoken to the State, which has the major responsibility of funding mental health programs and stuff? Have you ••

**MR. COHEN:**

Actually, there's a Federal bill that's now passed both Houses that will provide the seed money for this.

**CHAIRMAN TONNA:**

Okay.

**MR. COHEN:**

But, basically, this would be a County program.

**CHAIRMAN TONNA:**

Okay. Thank you, sir. Okay. Camille Harlow. I'm not sure. Camille, from the Christian Nursing Registry. Did I really botch that name so bad? Okay. Ann Druckenmiller. Hey, Ann.

**MS. DRUCKENMILLER:**

Good morning.

**CHAIRMAN TONNA:**

By the way, Ann, I don't really want to say this on the record or not, but I think we owe you a check, right?

**MS. DRUCKENMILLER:**

Yes, we ••

**CHAIRMAN TONNA:**

Have we gotten that ••

**MS. DRUCKENMILLER:**

Yes, you do.

**CHAIRMAN TONNA:**

Yeah. Ron, where are you?

**MS. DRUCKENMILLER:**

Yes, you do. Oh, I spoke to him this morning.

**CHAIRMAN TONNA:**

Okay. He's going to ••

**MS. DRUCKENMILLER:**

Okay.

**CHAIRMAN TONNA:**

He's going to make sure we send that over?

**MS. DRUCKENMILLER:**

Okay.

**CHAIRMAN TONNA:**

Because, you know, the last thing I want to do is ••

**MS. DRUCKENMILLER:**

My interest rate is very high, Paul.

**CHAIRMAN TONNA:**

Yeah, I could imagine. But I know •• I know we owe you a donation, so I apologize.

**MS. DRUCKENMILLER:**

Okay, thank you. Thank you very much.

**CHAIRMAN TONNA:**

Not the County; okay? Not "we", the County.

**MS. DRUCKENMILLER:**

Not the County. My name is Ann Druckenmiller and I'm Executive Director of the Gerald Ryan Outreach Center in Wyandanch. And I'm also here today to represent Suffolk Welfare Advocacy Coalition. A letters of letters, SWAC.

I'm here today because I have been coming here for about, oh, 18, 19, 20 years, and I'm always wining, I'm always asking for stuff, I'm always complaining. But I'm here today to say thank you for what you have done in terms of making sure there are 69 new positions to get rid of the backlog in delivery of services through the Department of Social Services. Backlog in this department ends up being a delay, a delay, a delay, and delay is denial of service. It's not even a question of they're going to get it sooner or later. In the interim periods, people lose funding, they don't have food, they lose their tuition opportunities, because they can't provide transportation to get to school, they lose their babysitters, and their whole life becomes chaotic because of delay. So, because of your paying attention to what was said last month and you took the opportunity to replace these 69 positions, we are now in a position to say we thank you very much, and that's the only reason I'm here.

**CHAIRMAN TONNA:**

Well, I just •• I just want to make sure they're in. I mean, my understanding was they're in. There are some Legislators here who ••

**LEG. SCHNEIDERMAN:**

My understanding is that they're not in yet. I'm hoping that they get in.

**CHAIRMAN TONNA:**

Sixty•nine positions. The Budget Review's advice about 69 positions should be in the omnibus,

from what I understand. I mean ••

**LEG. SCHNEIDERMAN:**

Get verification, because I checked yesterday and they were not in. I have ••

**CHAIRMAN TONNA:**

Brian.

**LEG. SCHNEIDERMAN:**

I have a stand•alone for 25 of those positions.

**CHAIRMAN TONNA:**

Okay. All right. Well, we're going to find out. You know, I would hold my thanks.

**MS. DRUCKENMILLER:**

Oh.

**CHAIRMAN TONNA:**

Okay?

**LEG. SCHNEIDERMAN:**

We'll get you an answer on that.

**MS. DRUCKENMILLER:**

I was so eager to say thank you, too.

**CHAIRMAN TONNA:**

Yeah, yeah, me, too.

**MS. DRUCKENMILLER:**

Shall I come back again when it's real?

**CHAIRMAN TONNA:**

Well, let's hope.

**MS. DRUCKENMILLER:**

Okay. Me, too. Thank you.

**CHAIRMAN TONNA:**

You know.

**LEG. SCHNEIDERMAN:**

Getting those positions is only half the battle, it's actually getting them released.

**CHAIRMAN TONNA:**

I mean, I think we, as a committee, last week agreed that those positions needed to be put into the budget, and, you know, I know I communicated and I thought that others. Guys •• well, it's something that ••

**MR. ORTIZ:**

We're going to find out. We'll get to you in just a minute.

**CHAIRMAN TONNA:**

Well, I don't want a stand•alone. You know, it's got to be in •• it's got to be in there or they're going to miss one budget vote. I don't want any backup, I want it in •• I think we all agreed on that. Okay. Michael ••

**LEG. SCHNEIDERMAN:**

I agree with you.

**CHAIRMAN TONNA:**

Michael Stoltz. How are you Michael? Michael, I love your haircut.

**MR. STOLTZ:**

Thanks.

**CHAIRMAN TONNA:**

It's so nice to see a very handsome individual come up to the ••

**MR. STOLTZ:**

We use the same barber.

**CHAIRMAN TONNA:**

Absolutely.

**MR. STOLTZ:**

I will be real •• out of respect for your wishes, I will be real brief.

**CHAIRMAN TONNA:**

Thank you.

**MR. STOLTZ:**

I'm Mike Stoltz, Executive Director of Clubhouse of Suffolk, and current Chair of the Suffolk Coalition of Mental Health Service Providers. And just to play off some of the testimony from my colleague, Herb Cohen, I also want to tell you in the room are representatives from other members, Catholic Charities, Skills Unlimited, Suffolk Community Council. And our coalition is now a year old. We are expanding to include mental health providers from hospitals, residential agencies, and cross•over agencies. And while we are appreciative of a 2% increase, we also can •• and the lack of a cut, we also want to reiterate, we've been in front of this committee saying that our resources need •• our needs are much greater.

If we are going to be committed to our community mental health system, and this is Suffolk County's mental health system, it is not New York State's mental health system, we have to make choices that say this is about Suffolk County citizens. We get resources from the State, we get resources from the Federal Government, but mental health care is an aspect of our health care system, and we •• as such, we're asking the Legislature to continually look at budget requests and say this is about Suffolk County health •• Suffolk County's health care system. We have too many people right now in our jails, too many people in our DSS system who could otherwise be better served by a better, well•funded mental health system. Thank you.

**LEG. NOWICK:**

Thank you.

**LEG. FOLEY:**

Just a question, if I may. Mr. Stoltz, can you tell us whether or not the long anticipated bus shelters, have they, as of yet, been placed in ••

**MR. STOLTZ:**

As a matter of fact, it has, Brian.

**LEG. FOLEY:**

Okay.

**MR. STOLTZ:**

And I have a call into your office ••

**LEG. FOLEY:**

Right.

**MR. STOLTZ:**

•• asking for you to come out and visit.

**LEG. FOLEY:**

Are we going to have •• we're going to have an official ribbon•cutting for this?

**MR. STOLTZ:**

Absolutely.

**LEG. FOLEY:**

I mean, talk about the patience of Job.

**MR. STOLTZ:**

We may put your picture right beside it.

**LEG. FOLEY:**

Right. All right.

**MR. STOLTZ:**

Thank you.

**LEG. FOLEY:**

Thank you. Okay.

**CHAIRMAN TONNA:**

Could you read the next card? Thank you.

**LEG. NOWICK:**

John Bogack.

**MR. BOGACK:**

Bogack.

**LEG. NOWICK:**

That's what I said. Good morning.

**MR. BOGACK:**

Good morning. Thank you. I'm here to talk in favor of a budget item. I'll be brief, because that's the way to go today.

There's somewhere in the budget for next year 200,000, \$175,000 for the rehiring of retirees in Department of Social Services, specifically in Child Protective Services, I'm one of them. It was a good idea when this program was put together by Legislator Vilorio•Fisher. There's six of us. Last year, we were part of the great reduction of overdue cases in CPS. It's gone down from fifteen hundred to less than a hundred.

**LEG. FOLEY:**

Wow.

**MR. BOGACK:**

I think one of the reasons we got there is because the Legislature did create this flexible force of workers to get those overdues done. This year, we're back in doing other kinds of tasks; same goal, keep the overdues down, keep CPS running, make sure we're •• that job which

needs to be done gets done. It was a good idea when it was originally proposed, it was a good idea this year, and it's a good idea next year, and I hope the Legislature extends the monies for this program, so that we're back again in 2005. That's it.

**LEG. VILORIA • FISHER:**

Mr. Chair, may I ask a question? Mr. Chair.

**CHAIRMAN TONNA:**

Yes. Yes, question.

**LEG. VILORIA • FISHER:**

I just want to be recognized to ask a question.

**CHAIRMAN TONNA:**

Yes, sure.

**LEG. VILORIA • FISHER:**

Okay. This was that program last year. The entire Social Services Committee supported my resolution to call back the retirees to get the numbers down in Child Protective Services. We know how important that is. Is it in the budget, was my question, for 2005?

**MR. ORTIZ:**

(Nodded yes).

**LEG. VILORIA • FISHER:**

Okay. That was my question. I wanted to just let the Chair know that it was in there and we're protecting that. Thanks.

**MR. BOGACK:**

I thank you.

**LEG. VILORIA • FISHER:**

How many positions? Is it the 12 again or how many •• six or •• is it six retirees that we called back?

**MS. DONO:**

I'm not sure how many ••

**LEG. VILORIA • FISHER:**

It's six?

**MS. DONO:**

•• positions it is.

**LEG. VILORIA • FISHER:**

Okay. I see the Commissioner is saying yes.

**MS. DONO:**

But the total amount of money that was requesting is in there.

**LEG. VILORIA • FISHER:**

Terrific. Thank you. Thank you very much.

**MR. BOGACK:**

Thank you.

**CHAIRMAN TONNA:**

All right. Thank you very much. Ann Moran•Smith. Ann Moran •• Ann Moran•Smith.

**MS. MORAN • SMITH:**

Thank you. My name is Ann Moran•Smith. I'm the Executive Director of The Ministries in Coram, also known as Smithaven Ministries, and I will be as quick as I can.

The Ministries began a program last year, which is our Help for the Homeless Program, to provide prevention and treatment services to homeless people and families, individuals and families in Suffolk County. The program was •• the original funding came through Congressman Bishop's Office. It was federal funding through a member item, a grant that was for one year. Our program is scheduled to end its funding on December 27th of this year, and we have no further funding for it. I know that you had your budget meetings last week, but we

were not told until this week that we wouldn't be funded again.

The program does provide a comprehensive service system, case management. We work with realtors, we work with lawyers, we work with private people, the Department of Social Services, Parole, Probation. We work with clients who are sex offenders. That's been a big issue for the past couple of weeks. We have Level 3 sex offenders, and we have families in the program. We will help anyone who is in danger of being homeless, and we really need any help or direction you could give us as far as obtaining funding to continue the program.

The Ministries really has a track record in helping the homeless. We run \\_Seaberry\\_ Barn, which is a Suffolk County shelter for our runaway and homeless youth. We run many other programs, and we've been in service to Suffolk County people since 1967. Any help that anybody here can give us, as far as directions to going or funding, I'm eternally grateful. Thank you.

**LEG. VILORIA • FISHER:**

I have a question.

**MS. MORAN • SMITH:**

Yes.

**LEG. VILORIA • FISHER:**

Now, you said that was a member item grant from Congressman Bishop?

**MS. MORAN • SMITH:**

Yes.

**LEG. VILORIA • FISHER:**

And how much was that for?

**MS. MORAN • SMITH:**

The original grant was for \$496,000.

**LEG. VILORIA • FISHER:**

Wow.

**MS. MORAN • SMITH:**

However, we could ••

**LEG. LOSQUADRO:**

Nice to be a Congressman.

**MS. MORAN • SMITH:**

That was •• yes. That was for the first year. It included purchasing of equipment, and things like that. Through cost savings, we've been able to extend the grant, actually, for an extra three months. To keep the program as it is would cost about \$300,000, but if we did it even on a smaller scale with •• we have actually two full•time social workers and several paraprofessionals in the program. We would be willing to scale it down, if we had to, just to keep the program going, because it's very valuable and very needed.

**LEG. VILORIA • FISHER:**

And the grant went from four hundred and change to zero?

**MS. MORAN • SMITH:**

Zero.

**LEG. VILORIA • FISHER:**

There's nothing coming from the Federal Government?

**MS. MORAN • SMITH:**

No, there's nothing, not a penny.

**LEG. VILORIA • FISHER:**

Why? Was it was meant to be seed money that was to be ••

**MS. MORAN • SMITH:**

Yes.

**LEG. VILORIA • FISHER:**

•• matched at some later time?

**MS. MORAN • SMITH:**

Yes. And, unfortunately, we have not been able to get any other grants to support the program. As you know, dealing with the homeless population, it's not the most popular population to get assistance for, very difficult for us.

**LEG. VILORIA • FISHER:**

Oh, that's sizable.

**MS. MORAN • SMITH:**

Thank you.

**LEG. VILORIA • FISHER:**

Big piece of change there.

**MS. MORAN • SMITH:**

It is, but we were more than willing to scale down the program, if we need to, to at least continue to provide the basic services.

**CHAIRMAN TONNA:**

If I understand this correctly, you got Federal money?

**MS. MORAN • SMITH:**

Yes, for one year.

**CHAIRMAN TONNA:**

And now you're looking for County money?

**MS. MORAN • SMITH:**

Yes.

**CHAIRMAN TONNA:**

To supplement the Federal money?

**LEG. VILORIA • FISHER:**

No, instead of.

**CHAIRMAN TONNA:**

Yeah, instead of, right.

**LEG. SCHNEIDERMAN:**

Substitute.

**CHAIRMAN TONNA:**

Substitute. I could tell you, in all fairness, that's a hard sell. That's going to be a very hard sell. You know, when one level of government gives •• unfortunately, it always filters down to the County. When the State cuts programs, everybody comes, the County should pick it up. When the Federal Government cuts programs, it's a very, very hard sell. Who's your Legislator?

**MS. MORAN • SMITH:**

Legislator Caracappa.

**CHAIRMAN TONNA:**

I would say that probably the best place to start is there.

**MS. MORAN • SMITH:**

We did.

**CHAIRMAN TONNA:**

Okay.

**MS. MORAN • SMITH:**

And we will. But, if there are any directions anyone else can suggest, please, we're open.

**CHAIRMAN TONNA:**

I think it's Legislator Caracappa that you're going to have to start and finish with.

**MS. MORAN • SMITH:**

Okay. Thank you.

**CHAIRMAN TONNA:**

Thank you.

**MS. MORAN • SMITH:**

Thank you.

**CHAIRMAN TONNA:**

Okay. Susan \\_Metell\\_ , \\_Metalle\\_ , \\_Metell\\_?

**MS. METALLO:**

Metallo.

**CHAIRMAN TONNA:**

Metallo. Oh, that's an "O"? Okay. Thank you.

**MS. METALLO:**

My name is Susan Metallo and I represent myself. I want to thank Brian Foley for this invitation as well.

On August 4th, 2004, I received a child support check. The next check I received was October 12th, 2004 for \$82. What would you do if you didn't get paid for eight weeks? What would you do if you got paid \$10 a week to raise two teenage children? I am asking you that you are the Suffolk County Legislators, okay, I need your help to change the child support laws and to enforce the laws that already exist.

I live in this County and so do my children. I am an educated single, disabled mom, okay, and I have not received the basic needs for my children for seven years. My ex and many more exes are getting away with the failure to pay and provide for their children, their own flesh and blood.

The check that you're being seen right now was a check I received over the summer. It was for

\$6.94. What can you do and buy teenage •• for two teenage children for \$6.94? I am asking for your guidance and your help to enforce the existing laws and how we can change them.

My children and I are victims of abuse by my ex, as well as by the system. For not paying, my ex received a letter from CSEB. His license is going to be suspended. He has 30 days to respond. Why? Eight weeks has already passed, and four more weeks after that. If I was not a resourceful woman, my children and I would be hungry and homeless. And how many custodial parents are already at that point?

I am well aware it is a felony not to pay support. The State sets the guidelines and then the County enforces them, so why in other states and counties, if you miss two payments, the Sheriff is automatically at your door?

I thought New York got tough on crime. Not paying support is a crime. Here in New York, you can miss four payments with no consequences. The custodial parent can then file a violation petition, which takes six to eight weeks. And then if you are heard that day in court you are lucky, but if a hearing is needed, it may take another three to four weeks. So, now we're talking 16 weeks or four months with no money, no food, and maybe not even a place to live. How would your children or your grandchildren react to always hearing no. My children would like just yes for basic stuff.

The hearing examiners and the judges also need to be educated about deadbeats, and how many chances do you give someone who has the money and won't pay? The consequences have to be tougher and they have to be enforced. My ex and many exes brag about beating the system. That has to stop.

The children of this County and this state are our future. It takes not only a village, but a whole county and a state to raise a child or children. I am asking you, the members, and the District Attorney and the Sheriffs to enforce the laws, to go after these deadbeat parents, not just in a sweep, but in a regular basis. There is •• maybe there's someone ••

**LEG. LOSQUADRO:**

Ma'am, I'm ••

**MS. METALLO:**

•• or one of you who has a better solution.

**LEG. LOSQUADRO:**

Ma'am, I'm sorry. I know what you have to say is very important, so I don't want you to miss any key points. You have about 30 seconds left ••

**MS. METALLO:**

Okay.

**LEG. LOSQUADRO:**

•• if you want to begin to summarize.

**MS. METALLO:**

This is a tough fight. I know there is someone who sits on the Legislative Board right now who tried it get the boots put on the cars. She was turned down because of the politics that involved the deadbeats. Okay. It crosses all lines of color, race and creed.

I ask you, if you have any questions or •• I hope you can give the children of this County the hope that there's •• someone does care, that someone is really listening that wants to make sure they grow up not being afraid, hungry or homeless.

**CHAIRMAN TONNA:**

Thank you.

**LEG. LOSQUADRO:**

Thank you.

**MS. METALLO:**

Thank you.

**LEG. NOWICK:**

I just have one question.

**MS. METALLO:**

Sure.

**LEG. NOWICK:**

Your former husband has a job that's paid •• he's paid on the books?

**MS. METALLO:**

Correct.

**LEG. NOWICK:**

He has a job, and he owes you for how many years?

**MS. METALLO:**

He owes me now, it's about \$2,000 in back support, and several thousand dollars in back medical.

**LEG. NOWICK:**

And he has a job and the courts have ignored going after his salary?

**MS. METALLO:**

What happens is that the hearing examiners, and everything, they get •• they get away with it. They tell their little story and it's either decreased or it's not paid at all. Okay, a perfect example is ••

**LEG. NOWICK:**

If I'm not mistaken, and somebody correct me, the hearing examiner works at Family Court?

**MS. METALLO:**

Correct.

**LEG. NOWICK:**

That's a State •• Family Court is State, not County; is that right?

**MS. METALLO:**

Correct.

**LEG. NOWICK:**

So, therefore •• and I agree with you totally, and this is a horrible thing, and this should be out in the newspapers and every place else.

**MS. METALLO:**

Tell me how.

**LEG. NOWICK:**

But, unfortunately, that's a •• it is a State Court, so you do need to go and lobby your State Legislators.

**MS. METALLO:**

I am in the process of doing it, but ••

**LEG. NOWICK:**

I wish we could do something, because I would be •• I'm sure most of us would be right there with you.

**MS. METALLO:**

The thing is that the District Attorney is here in the County. That's a County position. Okay? You guys have to tell them to go out and do the sweep and to enforce the State laws. I'm well aware that it's a Federal law not to pay support, it's a felony, okay, but ••

**LEG. NOWICK:**

You're talking about a backup in the court and that you can't get your hearings on time, and it just •• it just multiplies.

**MS. METALLO:**

It's just going on, and on, and on. But the thing is that somebody •• we have to start somewhere. So, I spoke with Brian Foley and, you know, he said come and speak and maybe somebody •• you know, we can do it. But what's happening is that it's being, as you said earlier, it's being filtered down to the County. We come to the County to get our •• to get food stamps, to ask for help, and the County usually picks it up. Okay? There has to be somewhere

where we can start.

**LEG. NOWICK:**

Okay. I understand. Brian.

**CHAIRMAN TONNA:**

I think Legislator Foley ••

**LEG. NOWICK:**

Brian, if you have anything you want to do and you want my help ••

**CHAIRMAN TONNA:**

He deals with these things all the time in his district office.

**LEG. FOLEY:**

Thank you.

**LEG. NOWICK:**

•• I will be there to help you.

**CHAIRMAN TONNA:**

Right.

**LEG. FOLEY:**

Yeah. If I may, Mr. Chairman.

**CHAIRMAN TONNA:**

You could handle that.

**LEG. FOLEY:**

Thank you, Mr. Chairman. Susan, I thank you for coming down here today. I thought it was important, Mr. Chairman, that, as we've done before at this committee, to have some testimony given about a problem that has crossed jurisdictions. There is a County component, as well as State and Federal. But I believe we need to develop the public record on the challenges that

still exist in the area of child support, so that we can utilize the influence of this committee, as well as the powers of the County government to try to bring about some change. So, today is another step in that direction.

Susan knows that we •• Miss Metallo knows that we will have follow•up meetings with the department about this, and also try and find a way in which to work with and influence the State system in order to make the changes that are required. So, this really is an ongoing •• we've made improvements in the past in this particular area of administration of child support, but it may be a more fundamental question and not just in the administration of the law, but maybe changes to the law itself.

**CHAIRMAN TONNA:**

You're in good hands with Legislator Foley.

**LEG. FOLEY:**

Let me just finish it, if I may, Madam •• Mr. Chairman. Susan has done a wonderful job with her children. If you •• if she was able to give the full background to what's transpired over the last six months, your admiration for her efforts would be magnified ten•fold. So, I do want to thank you for coming here today, and this is •• among many other things we're working with, this is one •• this is another one that we'll be working together on.

**MS. METALLO:**

You know my phone number, call me.

**LEG. FOLEY:**

Okay. Thank you.

**MS. METALLO:**

Thank you.

**LEG. FOLEY:**

Okay.

**CHAIRMAN TONNA:**

Thank you. Steve \\_Molee\\_? How do I say that, Steve?

**MR. MOLL:**

Moll.

**CHAIRMAN TONNA:**

Moll? Okay.

**MR. MOLL:**

Mr. Chairman, Steve Moll. If I can I have the Executive Director of Lake Grove Treatment.

**CHAIRMAN TONNA:**

Okay. Did she fill out a card?

**MR. MOLL:**

Yes, she filled out a card.

**CHAIRMAN TONNA:**

All right. So, you're going to do it together?

**MR. MOLL:**

Yes.

**CHAIRMAN TONNA:**

And that •• that's Shannon?

**LEG. SCHNEIDERMAN:**

Yes.

**CHAIRMAN TONNA:**

Hi, Shannon. How are you?

**MS. O'NEILL:**

Good.

**CHAIRMAN TONNA:**

Okay. Go ahead.

**MR. MOLL:**

I'm Steve Moll. I represent •• I'm sorry. My name is Steve Moll. I represent the Lake Grove Treatment Center. They are a drug treatment clinic. They have four locations in Suffolk County. Until July 1st, they were a workforce site for •• to satisfy their clients' needs under the workfare that was enacted at the Federal level. As of July, 1st the paperwork that would allow them to continue to be a workforce site, they need Suffolk County approval. It's a revenue •neutral item for Suffolk County. It was not approved. It's been missing. We've spent the last three months tracking it down, and we've reached nowhere with The County Executive's Office, and we're looking to this body for assistance or guidance.

**CHAIRMAN TONNA:**

So, basically, you have vouchers in? What do you have?

**MR. MOLL:**

No, it's not vouchers. The clients at Lake Grove Treatment can satisfy their workfare requirements at our facility ••

**CHAIRMAN TONNA:**

Right.

**MR. MOLL:**

•• doing maintenance, custodial, whatever.

**CHAIRMAN TONNA:**

Right.

**MR. MOLL:**

But we need approval from the County for the Federal ••

**CHAIRMAN TONNA:**

That's in •• and that's in Social Services Department?

**MR. MOLL:**

It's really the Department of Labor, who we don't have a Labor Department •• a Labor Committee, and this is •• deals with our ••

**CHAIRMAN TONNA:**

Okay. No, that's all right. We'll take care of this for you. So ••

**MR. MOLL:**

Right.

**CHAIRMAN TONNA:**

Okay. So, now you've reached out to the Department of Labor?

**MR. MOLL:**

The Department of Labor approved the paperwork, put it to the County Attorney's Office. Ms. Malafi told me that was approved, and it was passed, sent to the County Executive's Office, where we've told •• been told it was denied, but we have nothing in writing.

**CHAIRMAN TONNA:**

It was denied. They said it was •• why was it denied?

**MR. MOLL:**

Exactly.

**CHAIRMAN TONNA:**

Okay. So ••

**MR. MOLL:**

We've done this for eight years and we've never had an issue.

**CHAIRMAN TONNA:**

Ben. Come on up here, Ben. We like to •• we'd like to expedite this. This will save us four minutes, I think, on, you know •• so, Ben, could you just find out for these wonderful people,

okay, where we are? You already have an answer?

**MR. ZWIRN:**

Yeah.

**CHAIRMAN TONNA:**

You do?

**MR. ZWIRN:**

I do.

**CHAIRMAN TONNA:**

You are one of the most efficient guys I've ever known.

**MR. ZWIRN:**

And that's on the record. Please, I'd like ••

**CHAIRMAN TONNA:**

Okay, yeah.

**MR. ZWIRN:**

I'd like a copy of that.

**CHAIRMAN TONNA:**

Yeah. Put that in writing.

**MR. ZWIRN:**

Unfortunately, Mr. Chair, there is a question of litigation regarding this particular contract, and that's why it's been held up.

**MR. MOLL:**

We're not aware of any litigation.

**MR. ZWIRN:**

Well ••

**CHAIRMAN TONNA:**

Okay. So ••

**MR. ZWIRN:**

They soon may be, but that's •• there's a reason. It's not that it has been overlooked ••

**CHAIRMAN TONNA:**

Okay. But ••

**MR. ZWIRN:**

•• or that it's missing in action, there is ••

**CHAIRMAN TONNA:**

Yeah. But all they want is an explanation. Don't you think the County Attorney's Office or somebody should write them a letter and say, you know, or somebody should respond to them, so that they know, you know •• being in limbo, I haven't been in limbo in a long time, but when you're in limbo, it's kind of •• you know, it's kind of like, you know, what's going on? And I guess, you know, the Legislature always is the last resort. So, do you think that we'd be able to expedite a reasonable explanation to this organization, so that they can ••

**MR. ZWIRN:**

Absolutely.

**CHAIRMAN TONNA:**

Okay. That's wonderful. Okay. Is that ••

**MR. MOLL:**

Thank you, Mr. Chair.

**CHAIRMAN TONNA:**

That's pretty good?

**MR. MOLL:**

Yes.

**CHAIRMAN TONNA:**

All right. That's a start. Thank you, Shannon. Thank you very much, Mr. Moll.

**LEG. FOLEY:**

Thank you. Thank you, Steve.

**CHAIRMAN TONNA:**

And, you know, if you want to CC Legislator Cohen on that, okay? All right. If you could just CC our office. Ron, Ron reads them and then, you know, I never get to see them anyway.

**MR. ZWIRN:**

I'll look for Legislator Cohen.

**CHAIRMAN TONNA:**

But, if you could, that would be wonderful. Thank you.

**LEG. FOLEY:**

Mr. Chairman, just on that point, one of the issues is the fact that that particular contract agency was not given any reason for the delay, and that now there are some points were made by the •• by Mr. Zwirn, but I think it should be noted for the fact that all these months where they've been laboring to get an answer. They went through all the proper channels, through the Department of Labor, they approved it, all the other approvals were given, and now it's been delayed for a number of months. So, I'm glad to hear that there's going to be some further communications on it that heretofore ••

**CHAIRMAN TONNA:**

Okay.

**LEG. FOLEY:**

•• weren't given. Thank you.

**CHAIRMAN TONNA:**

Great. Okay. Stanley DeVeaux. Did I pronounce that correctly?

**MR. DEVEAUX:**

Yes, DeVeaux.

**CHAIRMAN TONNA:**

Yep. Stanley, we saw you last time.

**MR. DEVEAUX:**

You certainly did.

**CHAIRMAN TONNA:**

You like it here, I guess.

**MR. DEVEAUX:**

Good morning.

**CHAIRMAN TONNA:**

Hi, Stanley.

**MR. DEVEAUX:**

Ladies and Gentlemen.

**CHAIRMAN TONNA:**

Yes.

**MR. DEVEAUX:**

I'm back •• I'm a voice in the street crying aloud. I am on the Advisory Board for the Dr. King Mental •• Health Center, not mental, but Health Center there in Wyandanch, and I'm here to affirm, to affirm that the Health Center ••

**CHAIRMAN TONNA:**

Needs the money.

**MR. DEVEAUX:**

Needs the money.

**CHAIRMAN TONNA:**

All right.

**MR. DEVEAUX:**

They have implemented, they continue to evaluate and promote cost cutting factors. However  
••

**CHAIRMAN TONNA:**

Okay, go ahead.

**MR. DEVEAUX:**

The sense is their people are increasing for many, many reasons, and they cannot continue,  
Ladies and Gentlemen, without money. That's all I have to say.

**CHAIRMAN TONNA:**

All right. Thank you.

**MR. DEVEAUX:**

We need the money.

**CHAIRMAN TONNA:**

Stan, hold it a second. I just •• the next five cards •• the health centers are back in, guys, all  
right? All I can say is do we have a sense of what their back in for?

**LEG. FOLEY:**

Mr. Chairman.

**CHAIRMAN TONNA:**

Yes.

**LEG. FOLEY:**

If you're asking them to refrain from speaking today, I think at the very least, if they have some prepared statements, they should be entered into the record.

**CHAIRMAN TONNA:**

We already •• they have the freedom to do that.

**LEG. FOLEY:**

Right.

**CHAIRMAN TONNA:**

All I'm saying is that we just heard them last Thursday.

**LEG. FOLEY:**

Right.

**CHAIRMAN TONNA:**

Okay? We got the message loud and clear, we responded to it. I just think that we have a lot on our agenda today, and as Chairman of the committee, I have every right to ask people to be as •• you know, as quick as possible and as succinct as possible, so that you'll have an opportunity to ask some other questions of somebody with a different issue. If you have any questions whatsoever about your health centers, or about the money, or anything else, I would say you should talk to your local Legislators, and stuff like that. But from what I understand, and not barring the five or six calls that I got to my own district office yesterday, is that we have put the money back into the health centers; am I right?

**LEG. FOLEY:**

We're endeavoring to allocate a true 2% ••

**CHAIRMAN TONNA:**

Just that ••

**LEG. FOLEY:**

•• increase.

**CHAIRMAN TONNA:**

•• or Budget Review's?

**LEG. FOLEY:**

In a number of the agencies •• number of the health centers, also looking at the recommendations given by BRO for some of the •• some of the •• it's the same, but different.

**CHAIRMAN TONNA:**

I thought we used BRO's recommendations ••

**LEG. FOLEY:**

It's going to be ••

**CHAIRMAN TONNA:**

•• and it's in.

**LEG. FOLEY:**

It's a combination of reviewing BRO's recommendations, and at the very least, in some case •• in most cases, giving at least a true 2% increase. In those other cases where it's been identified that there's been some longstanding imbalance, if you will, budgetary imbalance, to give •• to allocate additional dollars beyond the 2%.

**CHAIRMAN TONNA:**

Mr. Ortiz, in the current document that we're working now, Budget Review suggested things like Huntington Hospital, I think, a million dollars, this hospital, that, whatever. We put all of that in, right?

**MR. ORTIZ:**

We put in less than what the health centers requested, but what our office recommended is in the omnibus bill.

**CHAIRMAN TONNA:**

It is. We put less when •• the health centers, but we put in what Budget Review asked for.

**MR. ORTIZ:**

Right. What we prioritize is essential programs.

**CHAIRMAN TONNA:**

Okay. Everybody's read those things? Okay.

**LEG. FOLEY:**

It's more than what's ••

**CHAIRMAN TONNA:**

Thank you, sir.

**LEG. FOLEY:**

It's more than what's being proposed. That's the ••

**CHAIRMAN TONNA:**

Right.

**LEG. FOLEY:**

That's the main point.

**MR. DEVEAUX:**

Thank you.

**CHAIRMAN TONNA:**

A lot more. Okay. All right. Anybody else? We have next Marilyn Shellabarger.

**MS. SHELLABARGER:**

My questions and my discussion have been answered.

**CHAIRMAN TONNA:**

Great.

**MS. SHELLABARGER:**

I will pass.

**CHAIRMAN TONNA:**

Thank you. Peter Wong. Peter? Peter, you have something to say? Come on up.

**MR. WONG:**

Give me two seconds.

**CHAIRMAN TONNA:**

Yeah. You got •• you got three minutes.

**MR. WONG:**

I won't take three minutes. My name is Peter Wong. I'm from Martin Luther King Health Center. I'm the Administrator. And I know that we've been going through this process many years, and every year we come up with the amount that we asked for, the minimum amount that we ask for, but I think that it's important that I should tell everybody that the same amount, the same minimal amount that we get every year, we thank everybody that's sitting on the horseshoe and we continue to thank everybody, but I don't think that it's going to make it work, because we are facing a tougher environment out there. Providing health care to the uninsured, to people that cannot afford is going to •• continuously going to be increase in the burdens, because we are seeing more and more \\_self•pay\\_ patients. \\_Self•pay\\_ to everybody is no pay, okay, but, unfortunately, we have to service them.

And we are trying at the health center level, we are trying our best. We streamline our system, try to save some money, try to cut costs, and try to maintain and try to keep up with the volume, but there's a limit. I think we're up to the limit at this point.

Okay. Although that we always ask the hospitals to support us, every year they do, but the hospital also runs out of the support, because there's no more money in there, they're losing money. So, we're asking, how do we solve this problem? Every year we come back and we say, "Well, there's only "X" number of dollars that we could split," and everybody gets the "X" number of dollars the way that we split up, but it's not going to work. It's not going to work.

I think the way to look at the future is we need to have creative ideas. We need to have innovation, how to get money, how to make money, how to compete for money that's out

there. We are not doing it, we are not doing it at this point. And I'm saying, if other people can survive, why can't we? That's what I'm asking. Thank you.

**CHAIRMAN TONNA:**

Thank you very much, Mr. ••

**LEG. FOLEY:**

Mr. Chairman.

**CHAIRMAN TONNA:**

Yes.

**LEG. FOLEY:**

Yeah. Not that I have a question for Mr. Wong, but he brings up an excellent point, and it's one that we, as a committee, in the past have addressed, and that is the whole area of whether or not the different departments are capturing as much or as many Federal dollars and State dollars that we could. So, one of the issues that we've been discussing of late, and I think we should discuss here in committee, and we'll ask the Commissioner when he comes up later, is whether or not •• well, whether or not there are sufficient number of grant•writers within the Department of Health to access those Federal and State dollars, particularly Federal dollars that still may be available, whether for community health initiatives, or other public health initiatives. So, I'll be asking the Commissioner to address that particular issue about whether or not there's a need, as I see there's a need, for additional grant•writers within his department.

**CHAIRMAN TONNA:**

All right. Thank you very much. Dolores Thompson.

**MS. THOMPSON:**

I'll stand right here, Paul.

**CHAIRMAN TONNA:**

Okay.

**MS. THOMPSON:**

I think I can speak loud enough. I'm in support with the Dolan Health Center. We're a million dollars short. We thank you all very much for what you have done and we're asking for you to do more, so we could exist, because we have many more people coming to us and we can't support it on the amount of money. The deficit is a million dollars. Thank you so much.

**CHAIRMAN TONNA:**

Thank you. Terry Smith. Ditto?

**MR. SMITH:**

Ditto. Thank you very much.

**CHAIRMAN TONNA:**

All right. And, you know, I just want to remind everybody of the Rolling Stone song, you know, you don't always get what you want, but we're going to try to get you what you need; all right? Now, if you want me to sing it, I have no problem, because we have a little extra time. No, no, no, no. All right. Thank you very much.

All right. I'd like to go to the agenda. I have a couple of items on the agenda. I know there's a presentation both from the Commissioner of Social Services and the Commissioner of Health, but I would like to start with Theresa Santmann from Little Flower Nursing Home, a special request. Normally, people fill out a card, but in this particular circumstance, we thought we would want to have a block of time for yourself to speak, Theresa. It's an issue that everybody should pay attention to.

**MS. SANTMANN:**

Well, first of all, I'll ••

**CHAIRMAN TONNA:**

Okay.

**MS. SANTMANN:**

•• start with thanking you for allowing me to speak about ••

**CHAIRMAN TONNA:**

Oh, no problem.

**MS. SANTMANN:**

•• the adult homes in Suffolk County. One of the things that makes the ••

**CHAIRMAN TONNA:**

Could you just give your name, rank and serial number ••

**MS. SANTMANN:**

Oh, I'm sorry.

**CHAIRMAN TONNA:**

•• who you represent, and everything else, so that we have that for the record.

**MS. SANTMANN:**

Theresa Santmann, and my adult home is Little Flower Residence in Babylon, but, basically, I'm speak fog the adult homes, I'd like to say New York State, but, in particular, Nassau and Suffolk County, well, Suffolk County particularly, of course, about the hardships that we are running into at \$28 a day. So, what I've done is to outline various aspects of the adult home industry, particularly interesting for me to •• because I am going to be closing that I'm making this appeal basically for the other people in the industry rather than myself. That's, of course, unless you give me enough money to be able to stay open for a little while longer, because I just did get permission, after asking in June, I did get permission only maybe one week ago allowing me to close, because prior to that, they were not going to allow me to close, and, verbally, they told me it was because they needed my beds.

Now, when I listen to, and part of my submission to you here is identifying the homeless. My God, you're sending the homeless •• we're sending the homeless out into the community because we have only \$28 a day, a day for adult home care. So, the drama of the \$28 a day, when 40 to 70 dollars a day is being paid for the homeless, I presume by the County, it's just so incongruous, and then \$17 an hour for home care, when in almost two hours of home care you're paying for 24 hours a day?

So, if I send my patients, or residents as they're called, out into the community to become

homeless, you heard of other problems over and over again, everything from jails, the motels, with what? I think there's is \$90 a day. It's rather •• we have 24 hour a day•care.

Our rules and regulations under the State of New York Official Compellation of Code Rules and Regulations, under Part 487, covers every aspect of the care that is given in adult homes 24 hours a day. The staffing, I have a dietician, again, I keep going back to the \$28 a day, but I have a dietician that plans the meals at Little Flower Residence, as other adult homes do, and, you know, the rather horrible part of this whole thing has to do with what the press does, because whenever there is someone that is making a horror of the adult home industry by either abuse or neglect, or whatever else it is, the press •• oh, dear, I guess Channel 12 is here, I shouldn't be saying the press, but, anyhow, they leap to the front to address in detail about some horrors that happen in adult homes.

So, now I'm going to go to the actual funding of assisted living, who, by the way, now are just getting some rules and regulations under the New York State Compellation of Code Rules and Regulations, which I think is a little ironic since we've been running for so long, 10, 20, 30 years of extensive code rules and regulations in adult homes. Now, to act, the irony of only starting to ask for codes for assisted living, isn't it ironical that in assisted living they get the SSI rate, and included in the packet that I handed out to the Health Commission here is another whole area of getting money for assisted living. But the point that that's how it ends up with assisted living, adult homes and nursing homes, nursing homes have both the Federal Government, and the State government, and the local government, I think it's called under the •• the word "county", to pay for their services. Assisted living, with just newly administered code rules and regulations, has the same body of three paying for the care.

Nursing homes, again, the Federal, State and local assisted living, Federal, State and local, and guess what, our big \$28 a day comes from the State and the Federal Government. And, I mean, I don't want to lean on these people, because they're the County, and say that, "You don't give us any money," but somehow you pay out ••

**CHAIRMAN TONNA:**

Theresa.

**MS. SANTMANN:**

•• the 40 and 70 dollars a day. Sorry.

**CHAIRMAN TONNA:**

Right. But just in looking in this and consulting our Legal Counsel, we see this often. People get frustrated, both on the Federal level and on the State level, and then they come to probably the most open level of government that there is, and that's the County government. I mean, every Legislator here is accessible in their district office, every Legislator here is accessible through, you know, probably the most open set of committee meetings, and everything else. The fact is, this is an absolute 100% State program, monitored, paid for. The fees are set by the State. The County has no jurisdiction whatsoever, as best as I could understand, over this issue. And the State levies taxes to pay for this.

The County taxpayer, you know, is already paying through their state taxes for this. And the only thing that I could say ••

**MS. SANTMANN:**

May I ••

**CHAIRMAN TONNA:**

•• is we've been an advocacy group to ask the State to be more efficient in representing, you know, the programs that they carry. But it's very, very hard for the County to pick up •• to pick up additional programs that the State has not raised the rates, or the State has done whatever else, you know.

**MS. SANTMANN:**

But you say •• if I may make my point ••

**LEG. FOLEY:**

Mr. Chairman.

**MS. SANTMANN:**

•• I guess, again ••

**CHAIRMAN TONNA:**

Yeah. The point is we're going to end up paying anyway, then.

**LEG. FOLEY:**

We've heard the point.

**CHAIRMAN TONNA:**

Right.

**MS. SANTMANN:**

Only you're going to pay a much higher rate with your 40 and 70 dollars and 17 dollars an hour for home care, because, obviously, as the adult home population decreases •• there were thirty •six hundred adult homes that were closed over a four•year period in New York State.

**CHAIRMAN TONNA:**

Right.

**MS. SANTMANN:**

Now, to add to that, in just Nassau and Suffolk alone in a five•month period ••

**CHAIRMAN TONNA:**

Right.

**MS. SANTMANN:**

•• the last month of '03 and the first four of this year, there were over a thousand adult home beds that were closed.

**CHAIRMAN TONNA:**

Right.

**MS. SANTMANN:**

And that's not even a number of us that were •• you know, that were already trying to.

**LEG. FOLEY:**

Mr. Chairman.

**CHAIRMAN TONNA:**

Just, Theresa, I'd just ask a question.

**MS. SANTMANN:**

Yes, please.

**CHAIRMAN TONNA:**

We've known each other for a long time.

**MS. SANTMANN:**

A lot of years.

**CHAIRMAN TONNA:**

And I have nothing but the highest respect and regard, and I know that you know the community. What has been the response from any of the State representatives? I mean, have you •• have you spoken to any of the State Senators, the State Assemblymen? Have you spoken to any of •• what is there response?

**MS. SANTMANN:**

They've all been hounded, and the part ••

**CHAIRMAN TONNA:**

And what has their response been? Because this is •• this is so said, because it's so dysfunctional.

**MS. SANTMANN:**

Your the court of last resort.

**CHAIRMAN TONNA:**

Right.

**MS. SANTMANN:**

It's sad to say, but yes.

**CHAIRMAN TONNA:**

It's so dysfunctional, because they basically say •• I mean, they have their district offices, they have their constituencies that they have to listen to, they have their mandated responsibilities, this is a State issue. And, basically, what has their response been to you, "Oh, get back to us, go talk it your County Legislator"? What is •• what is basically ••

**MS. SANTMANN:**

It's been a nonresponse. But, still, I'm back to the •• for the County, is the percentage that's being covered for both assisted living and nursing home, which cannot really be avoided when you're talking about adult homes, and the number of residents that are leaving adult homes to going •• are homeless.

**CHAIRMAN TONNA:**

Right.

**LEG. FOLEY:**

Mr. Chairman.

**MS. SANTMANN:**

And thousands and thousands here.

**CHAIRMAN TONNA:**

Right.

**LEG. FOLEY:**

Mr. Chairman.

**CHAIRMAN TONNA:**

Yes. Okay, Legislator Foley.

**LEG. FOLEY:**

Thank you. Thank you for your testimony. Earlier in the year, we had a panel of adult home operators and their advocates who appeared before this committee and spoke at length about the problems that you outlined here today. And the way that I describe it, as was described to me by one of the operators, is that you couldn't kennel a dog for \$28 a month. And the real

absurdity of the situation is when ••

**MS. SANTMANN:**

A day.

**CHAIRMAN TONNA:**

A day.

**LEG. FOLEY:**

Its when •• a day, rather. And the one item particularly that really needs to be •• needs to be emphasized is the fact that a number of the adult homes have been closed because they've been poorly reimbursed. State Health Department has forced a number of these places to close because of certain conditions that exist in some of these adult homes, and they exist •• those problems exist because the reimbursements are so low. And then, as you just outlined, before you can close your adult home, you have to satisfy the State as to where you're going to transfer a number of your residents. And what's happened, Mr. Chairman, in a number of cases is where they're going to be transferred is more expensive, more expensive for the State, more expensive for the County, more expensive for the Federal Government.

So, the question that needs to be asked, that begs to be asked, is why is there a framework within the State government that would, in essence, cause a greater expense to be incurred when all they need to do is to increase the reimbursement rates for the adult homes; is that not correct? If they increased the reimbursements to the adult homes, there wouldn't be a need for these closures; correct?

**MS. SANTMANN:**

Absolutely.

**LEG. FOLEY:**

And if they increased the reimbursements to the adult homes, it would still be less expensive than the alternative housing that will now have to happen for some •• either for the homeless or for a whole other population. Mr. Chairman, I would hope that you could listen to what I'm about to say. Thank you.

**CHAIRMAN TONNA:**

Legislator Foley, I'm always listening.

**LEG. FOLEY:**

One of the real ironies here, another sad irony, is that part of the census of those who are in the adult homes are from •• have a series of mental health issues. So, many times the adult homes are housing those who have mental illness at \$28 a day, whereas now, because of the closures of those adult homes, they're going to other locations that are much more expensive, and in some cases, they are becoming homeless, which is not only worse for the client, but it's worse for the taxpayers of the County and the State, because it ends up being more expensive to treat these people.

So, this is •• talk about dysfunction in Albany. The dysfunctionality extends not just to the Legislative branch, but also to the administration of programs. And who's left to pay for these things? It's not just a State government issue, Mr. Chairman, it's a County government issue, because through the County Medicaid payments, we're also on the hook.

So, this problem is an endemic one, it is on that's existed for a short period of time, and what's happened is the State, particularly the State Health Department, has panicked over this. They've panicked because they're forcing these places to close. And, yet, where they're •• where they have to be housed after they close the adult homes, in some cases •• in many cases, are more expensive, and in other cases, are worse off than when they were in the adult homes. So, it's a •• there's a multitude of problems here. And the last time that •• I'll end with this.

**CHAIRMAN TONNA:**

We just heard that testimony.

**LEG. FOLEY:**

I'll end with this.

**CHAIRMAN TONNA:**

That's exactly what she just said.

**LEG. FOLEY:**

I'll end with this.

**CHAIRMAN TONNA:**

Why are you saying it again?

**LEG. FOLEY:**

I'll •• because the record needs to be clear, that she needs ••

**CHAIRMAN TONNA:**

She said it clearly.

**LEG. FOLEY:**

She needs to understand, Mr. Chairman, that there are Legislators who also understand the problem. It's not enough for us just to nod our heads and say, "Yes, we agree," she also needs to know •• Mr. Chairman, I have the floor. And the fact of the matter is, in my district and in other districts, we are •• we are shouldering the problems that are occurring because of these closures in the adult homes. That's why I'm talking on the record here today, and why she needs to also understand the fact that we, in the past, have asked our State •• echo what the Chair had said earlier, we have asked our State Legislators to look into •• not only to look into it, but to do something about it, and to this date, nothing has been done.

But the fact of the matter is, we know about it, we've discussed this with our State counterparts, we're not ignoring the problem, but, at the same time, we really need to focus •• put the focus on where it really needs to be focused, which is the State level.

**CHAIRMAN TONNA:**

Does any •• does ••

**MS. SANTMANN:**

You know, for the 4,000 ••

**CHAIRMAN TONNA:**

Wait.

**MS. SANTMANN:**

For the 4,000 ••

**CHAIRMAN TONNA:**

Hold it one second.

**MS. SANTMANN:**

Sorry.

**CHAIRMAN TONNA:**

Does any other Legislator feel the need to repeat exactly the testimony of the person?

**LEG. FOLEY:**

It's not •• it's not repeating the testimony.

**CHAIRMAN TONNA:**

And then also say that they've heard it?

**LEG. FOLEY:**

Mr. Chairman, I take •• I take umbrage to that.

**CHAIRMAN TONNA:**

Let me finish.

**LEG. FOLEY:**

No, I won't, because this not about ••

**CHAIRMAN TONNA:**

I let you talk for quite sometime.

**LEG. FOLEY:**

This is not about repeating what's been said.

**CHAIRMAN TONNA:**

It is, it's completely repeating what's said, and saying what has already been said.

**LEG. FOLEY:**

It is •• it is ••

**CHAIRMAN TONNA:**

I heard her.

**LEG. FOLEY:**

It is to ••

**CHAIRMAN TONNA:**

Do I need to repeat it all back to her and say it again to say that I am an active listener?

**LEG. FOLEY:**

Mr. Chairman. Mr. Chairman. When I was Chair of this committee, when people came before this committee to give us their testimony on things. It simply wasn't enough to nod our heads and say we agree. What's also important, in order to have a certain level of confidence, for those who come before this committee, is for them to hear that •• not only that we understand the issue, but that we express our concerns, so that they see that not only do we agree, but that we understand.

So, for you to sit there and say that we can't on the record make statements that will demonstrate that we not only agree with them, but understand what the problem is, I think, you know, it's an unfortunate turn of events that you would not allow us to simply also state what our concerns are. Just to listen is not enough when you want to have interaction on the committee level. There needs to be not only us listening, we also need to express ourselves on the issue. That has always been part of the tradition of this particular Health Committee going back 20, 30 years. It's not only about listening, Mr. Chairman, it's also about expressing ourselves on the issues that are brought before this committee.

**CHAIRMAN TONNA:**

Miss Santmann, do you have any other things that you want to add?

**MS. SANTMANN:**

Well, actually, if I can just do a "tongue in cheek" from the New York State Health Department on closing, the process should include assessing the needs of the patients/residents, making determinations regarding bed availability at other area facilities, providing information about other facilities to patients/residents/families, but I like this sentence in particular. "Ensuring that the wishes of current patients/residents/families are respected when placement decisions are made, and ensuring the concerns, such as geographic location, public transportation, type of facility/provider, medical care, etcetera, are addressed in identifying future placement options for residents/patients." That is certainly off the wall. Thank you very much.

**LEG. FOLEY:**

Thank you.

**LEG. MYSTAL:**

Paul.

**CHAIRMAN TONNA:**

Thank you. Yes. We have another •• Legislator Mystal.

**LEG. MYSTAL:**

I don't have any question for you, Theresa, I just want to make a statement. It always amazed me that we sit here day and after day and we talk about the homeless, people who •• services of the County, and the State is not responding, there's nothing we can do about it, and everybody skirts the issue. The issue is very simple. Homeless have no voice. You are the advocate. They don't vote, they don't participate in the political process, therefore, they are ignored, like every contingent of society who does not have a voice, who does not participate enough to put pressure on the system.

**MS. SANTMANN:**

Well, you know what I thought might be an answer, and, again, I'm sort of doing this tongue and cheek, but what if it wasn't Little Flower residents, it was Little Flower Homeless Shelter? So, maybe I could get the rate of \$70 state dollars a day.

**LEG. MYSTAL:**

Well, what I am trying to get at is ••

**CHAIRMAN TONNA:**

Actually, we'll sign you up right away. I have the Commissioner of Social Services back there say, "That would be great."

**LEG. MYSTAL:**

What I'm trying to ••

**MS. SANTMANN:**

Oh, where is she? Where is she?

**CHAIRMAN TONNA:**

She's going to try to say, "Look we'll give you \$30. If you do it at 28, we're going to give you 30." I'm sure she's going to try to negotiate that rate for you.

**MS. SANTMANN:**

Actually, she •• the press was told by someone up in Albany, I heard before this hearing started, that we were getting enough money at \$28 a day. So, I thought that was rather interesting, because that was supposed to have come from the state to the spokesman for Channel 12.

**CHAIRMAN TONNA:**

Legislator.

**LEG. MYSTAL:**

Oh, thank you. My basic question is the fact we are, as Legislators, and the Assembly people and the Senate people, are also responsible for another part of their constituency. Those are the people who pay the taxes, those are the people whose property basically runs every facet of government. And when they do ignore, not that they don't have any conscience, not that they don't want to help, when they do ignore a part of society that needs the help is because they have to answer to another part that may say to them, "If you do something about my taxes to take care of people, I'm going to vote you out of office," and they cannot rely on the people they are helping to keep them in office.

**MS. SANTMANN:**

Yeah, but you know what ••

**LEG. MYSTAL:**

That is ••

**MS. SANTMANN:**

I'm sorry.

**LEG. MYSTAL:**

Let me finish, ma'am, let me finish.

**MS. SANTMANN:**

I'm sorry.

**LEG. MYSTAL:**

I am in all agreement, you know, and if anybody knows me, I am involved in helping the homeless in every contingent of society. But the point is, the point is, this is not the only segment of society that we have to deal with, and the other segment that we have to deal with put pressure on us not to spend their money on other people. And when we •• if we, as Legislators, whether it's the Assembly or the Senate, you know, you may say they're dysfunctional, or whatever you call it, but when we say we're going to take care of one group, we have to find the money from somewhere, and that money usually comes out of the hides of the taxpayer, and that's the basic point of it. We responded with more to those whom we think have more power in the system than we don't. That's the basic point.

**MS. SANTMANN:**

Okay. Well, I'm going to address that rather, I hope, succinctly by saying that I think that the taxpayers would be grateful to you if, in fact, you would stop adult homes from closing, giving them a small, small raise, maybe the homeless shelter rate, or eve somewhere in between, between 40 and 70, to keep them from becoming hopeless and saving money. And that's now a point you're making, because every time that anybody reads about the homeless people and that they're hungry or that they're sitting on a doorstep, for God's sake, there isn't any of us that don't feel something about that. And now that you're telling me that you might be voted out of office because you're going to be addressing something that is happening in our own

communities and having more homeless people out in the street, that doesn't •• that doesn't equate.

**LEG. MYSTAL:**

Theresa, they have a conscience, yes, they would like for you to help them up to the point where you say ••

**MS. SANTMANN:**

They're going save money.

**LEG. MYSTAL:**

Wait. Up to the point where you say to them, "Okay, you're going to pay for it."

**MS. SANTMANN:**

No. I'm just going to say that I'm going change ••

**LEG. MYSTAL:**

Okay? That's the point.

**MS. SANTMANN:**

•• the homeless dollars to the •• so that there won't be more of them, into a small raise or at least some raise for adult homes, so they won't become homeless. You're addressing •• you're addressing, from my •• from my vantage point, totally erroneously, because you're coming from the vantage point of the taxpayer, when it seems to me that taxpayers would be grateful.

**LEG. MYSTAL:**

There would be •• oh, no, I'm not going to ••

**CHAIRMAN TONNA:**

All right, all right, all right. Okay. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I'll be super brief, because when I asked the speaker, it really was to say what you just said. So, yeah, it sounds to me that this problem could be fixed at a cost savings to the taxpayer, just by reallocating ••

**MS. SANTMANN:**

Thank you.

**LEG. SCHNEIDERMAN:**

•• some of these resources.

**MS. SANTMANN:**

Thank you, thank you, thank you.

**LEG. SCHNEIDERMAN:**

And, you know, I know you're hearing from us much of, "Oh, it's the State's problem," it's somebody else's problem, but, clearly, the State's inaction in terms of giving you more money to provide this service is ending up being a County problem, because we're paying for it. And it's something we're going to have to sit down and figure out a solution for.

**CHAIRMAN TONNA:**

Okay. So, who's going to sit down and figure out the solution, because all I could tell you is we went through this quite sometime ago. We sent a sense resolution, which we knew they wouldn't listen to. You know, the problem ••

**LEG. SCHNEIDERMAN:**

What about doing what she said, is picking up a percentage of it?

**CHAIRMAN TONNA:**

How do you legally do that?

**LEG. VILORIA • FISHER:**

Let's ask Tom Suozzi to help us.

**CHAIRMAN TONNA:**

Yeah, right. How do you legally do that?

**MS. SANTMANN:**

The same way that they do for nursing homes and assisted living.

**CHAIRMAN TONNA:**

When one group goes to the other, then it's our problem. That's not just in this situation ••

**LEG. SCHNEIDERMAN:**

Well, if the State ••

**CHAIRMAN TONNA:**

•• it's in a thousand different situations.

**LEG. SCHNEIDERMAN:**

If the State kept their level and we paid an additional, whatever, \$10 ••

**LEG. MYSTAL:**

But they're not.

**LEG. SCHNEIDERMAN:**

•• a night, we'd save •• we would •• we'd save \$70 a night.

**CHAIRMAN TONNA:**

No, no, because you can't classify every single person will be homeless. It's easy to say on the record. It's •• all of this stuff is easy rhetoric to say. And it would be so wonderful to say to you, Theresa, because you know how much I love you, it would be easy to say, "Yeah, we're going to work this out," but the fact is we're not going to work this out, because we have to have a partnership with the State, and there is no partnership with the State. All right? They're terrible.

**MS. SANTMANN:**

Well, how do you ••

**CHAIRMAN TONNA:**

Not just on this issue, on every issue.

**MS. SANTMANN:**

How did it ••

**CHAIRMAN TONNA:**

They can't even pass a budget on time.

**MS. SANTMANN:**

How did it happen with assisted living if they get 10%?

**LEG. SCHNEIDERMAN:**

Why ••

**CHAIRMAN TONNA:**

It was mandated from the State. The State can mandate us to do things. But people •• it would be wonderful, it would be a wonderful world that if there was some type of reciprocity with the State. There is non; all right? It's just •• it doesn't exist. And anybody who tells me it is ••

**LEG. SCHNEIDERMAN:**

Why is that naive? Why can't we do that? Why can't, even without a deal ••

**CHAIRMAN TONNA:**

Go ahead. I'll tell you ••

**LEG. SCHNEIDERMAN:**

Even without a deal with the State, why couldn't we, the County ••

**CHAIRMAN TONNA:**

All of a sudden kick in the budget to do that?

**LEG. SCHNEIDERMAN:**

Well, no.

**CHAIRMAN TONNA:**

Just say we're going to fund it?

**LEG. SCHNEIDERMAN:**

No, no. You'd have to do some budgetary analysis, but it sounds like we would be saving money by doing that, if we could keep some of these places open by giving \$10 a night.

**MS. SANTMANN:**

There are 4,000 perspective homeless people in Suffolk County. That's the number of adult beds you have.

**CHAIRMAN TONNA:**

Jay, I'll tell you what, I'm with you.

**LEG. SCHNEIDERMAN:**

All right. So, I'm ••

**CHAIRMAN TONNA:**

You go ahead, you work on it.

**LEG. SCHNEIDERMAN:**

Where's Jim?

**CHAIRMAN TONNA:**

You spend the time, and I'm with you.

**LEG. SCHNEIDERMAN:**

All right.

**CHAIRMAN TONNA:**

All right? You go •• you go right ahead. All right?

**LEG. SCHNEIDERMAN:**

It might be too late.

**CHAIRMAN TONNA:**

And, by the way, just make sure all of that money that the State is supposed to be picking up

that we're competing with the others.

**LEG. SCHNEIDERMAN:**

As long as that State funding keeps coming through ••

**CHAIRMAN TONNA:**

Yeah, as long as •• yeah.

**LEG. SCHNEIDERMAN:**

•• as a supplement from the County. If we're going to save it on the other side, it might work out. So, it's really •• we need people like Budget Review Office to take a look at the issue.

**CHAIRMAN TONNA:**

Okay.

**LEG. SCHNEIDERMAN:**

Maybe we'll save money.

**MS. SANTMANN:**

Thank you very much.

**CHAIRMAN TONNA:**

All right. Thank you. All right. We have Annette Kosar from the March of Dimes.

**MS. KOSAR:**

Good morning, and thank you very much. My name is Annette Kosar. I'm the Executive Director of the Long Island Division of the March of Dimes. I'm here with our Deputy State Director, Tom Ryan. We are here to talk about the youngest and the people in the County who have the least voice, the babies that are born prematurely and babies born with birth defects. I would like to introduce Tom Ryan, please.

**CHAIRMAN TONNA:**

Thank you. Hi, Tom. How are you?

**MR. RYAN:**

Good morning, everyone.

**CHAIRMAN TONNA:**

Now, you're the State representative, too, right? So, you have no frustration with the State, right?

**MR. RYAN:**

I have no frustration, and we were just up there lobbying and we had some success.

**CHAIRMAN TONNA:**

Oh, good.

**MR. RYAN:**

We've actually gotten more access to Child Health Plus and Family Health Plus ••

**CHAIRMAN TONNA:**

Congratulations.

**MR. RYAN:**

•• facilitated enrollment. We're here today just to begin the process of educating everyone to a very, very serious issue in the community and that is prematurity. Most people who have a premature baby, and prematurity we define at the highest level is less than 37 weeks of gestation. Normally, it's 39 weeks. Baby is born, maybe an extra day or two in the hospital. Everybody thinks that this is a situation that, oh, it happens, but it's not serious. Let me say this, that in the United States, every minute a baby is born prematurely, and within Suffolk County, one out of nine babies will be born prematurely. That means, of the 20,000 live births that you have in Suffolk County, 2,222, made it a nice round number that I could remember, are born premature, less than 37 weeks. Four hundred and forty•four of them are born less than, I believe it's 25 weeks. Very, very serious issue.

Why is it serious? Well, part of the reason is that 50% of the time, we do not know why this has happened, and that's why the March of Dimes is so interested in this.

Secondly the cost of this are astronomical. Normally, a birth is two days in the hospital. It

goes to 25 days at the earliest for a premature baby. The costs go from fifteen hundred dollars to seventy•five thousand dollars, and that is just the initial birth. The continuing lifetime costs are astronomical.

The other issue is that we have great racial disparity in outcomes. The African•American community has almost twice the premature rate than the Caucasian community. And in Suffolk County that's true, it's almost 16% as compared to 11% on average. The second piece is the Native American •• Native American community is almost that rate as well. Two very, very serious issues, and we really don't know why it happens.

So, what we're asking here today, March of Dimes on a national basis is putting about 75 million dollars toward looking into research to try and identify these issues, and we're looking at things both clinically, what are some of the indicators that will lead us to this, obesity, diabetes, all of these previous •• premature birth. We're also looking at the environmental issues, which is, is it stress, is it the supermom concept today, that mothers have to do so many things, and particularly, are we delaying birth situations or family decisions about it?

So, that's what it means to Suffolk County. This is a very serious issue. It's an issue that, overall, we think there's an awareness of about 35%. We need to bring that to about 60%. And we also need to reduce the incident rate from 11% to 9%.

What we're here to ask is for your support in two levels, one, for your support in educating people. You have access to the communities that we would like to get further information to. The faith communities, the immigrant communities, these are the people that are very, very difficult to touch, those that speak languages other than English, these types of things.

Second thing that we're looking for is some of the funding that is available from the Legislators. I'd like to acknowledge that Legislator Lynne Nowick has done a great job in helping us with this. She has helped us get grant money in funding. We have passed out some information, and one of the things, there's an informational card, something like this that we give to mothers. We printed through this funding 3,000 of these. They were gone in two days and we're going into second printing. It allows the mother to put her doctor information on. You would think that this is something that's very known, etcetera. If a woman goes into premature labor and something happens, someone else needs to know who her doctor is.

Second thing, it talks about the signs of premature label.

The second piece is we also were able to have a conference in Suffolk County for the nurses that take care of patients in the clinics. These are the people of greater need. We had about 150 of them join us, a very sophisticated professional, and we were very, very pleased with the outcome of that. So, we thank you very much for your support on that and to your constituents.

So, we're asking for that people will help share this information. We've left some literature. Apologize for the little flashy bag and whatever, but we thought we had a lot of information in there. We will contact you all and let you know the materials and brochures that we have, and try to get those out, and connects to the community. We would also like to look for some of the Legislative funding to continue this. Things that we need to do is put this •• these messages out in the appropriate communities in very sensitive cultural ways to do it through language pieces, and also to do it with more conferences.

**CHAIRMAN TONNA:**

Thank you.

**MR. RYAN:**

Thank you.

**CHAIRMAN TONNA:**

There's a question. Legislator Nowick.

**LEG. NOWICK:**

Just quickly, I wanted to say that I attended the plan conference. The turnout was incredible. The learning curve is also incredible.

I believe that the March of Dimes, people hear those words and they •• after years, and years, and years, we say, "Oh, my God, they had plenty of money, they're funded," but it comes down to the local level, and that's where we, as Legislators, I feel, certainly need to help, because our money can allow for this conference. The babies that are born preterm, actually this helps the mother identify what the problem is. What I understand you are going to do, and I hope that would be •• help if some of the •• my fellow Legislators, to do this plan conference in Spanish;

is that correct?

**MR. RYAN:**

Yes, or in any ••

**LEG. NOWICK:**

And to also educate that community. And I would urge my fellow Legislators to get involved. Certainly, I am. Babies that are born preterm have problems that last years and years later, and I know that when there are problems like that, the County again gets involved helping those parents. So, this not only saves heartbreak for the family and teaches them, but it also saves the County in dollars and cents. So, thank you.

**MR. RYAN:**

Thank you very much.

**CHAIRMAN TONNA:**

Thank you, sir. Okay. I think it works very well when we have these special presentations. And thank you, The March of Dimes and Little Flower Nursing Home for coming and talking about some very important issues.

Okay. Right now, I think, before we go to the agenda, our last item on the agenda is a presentation from the Commissioner of Social Services and the Commissioner of Public Health to come up and speak about their joint presentation.

**COMMISSIONER DEMARZO:**

Good morning.

**CHAIRMAN TONNA:**

Good morning.

**COMMISSIONER DEMARZO:**

We are •• we are here to talk about an initiative that's contained in the 2000 •• oh, it's not on? Hello.

**CHAIRMAN TONNA:**

Yep.

**COMMISSIONER DEMARZO:**

Oh, I'm just not talking loud enough. That's contained in the 2005 recommended budget. I know that a number of you have heard about it throughout the year and some of our discussions. Basically, we're putting forth, the County Exec in his budget is putting forth an Alternative for Youth Program. This program would work with PINS children who are coming into the system.

Basically, to give some historical perspective, we've handed out a power point, but we know that you have a lot on your agenda, so we're just going to give you the overview and give you the opportunity to look through the power point and get back to us with questions, or ask us questions today. So, this is going to be a kind of global perspective on the program, and then, if you have questions, we have individuals here to answer them.

Essentially, a number of years ago, we saw a real spike in the number of children that we were sending to institutional placements and the cost was considerably higher than providing community based programs. So, over the last several years, under the Strike Force, which was the creation of the Legislature, a number of groups have been working together to identify ways to better provide services and to reduce institutional costs, such that we can provide better services at a lower cost.

In a recent training session with the \\_Vera\\_ Institute, we were given an understanding of programs that are working in other places, and we sought to adopt that model in this program. Essentially, what it does is that, as parents call for information on PINS, or to put their child into the Probation Criminal Justice System. We're going to be offering them an alternative, and it's a comprehensive alternative. It's four departments that have come together, the Department of Health, Social Services, Probation and Youth, and we're going to collaborate and create one comprehensive system of services. It's called Alternatives for Youth. And, essentially, the family will be reaching out to the PINS system to say they're having a problem with their child. And a lot of situations, the children are in crisis, we need to get to them quickly.

Our PINS diversion system works, but it doesn't work on the time frame that a lot of these parents need. So, essentially, AFY is a contract that we'll let for not•for•profits. So, when a

parent calls, within 24 to 48 hours, they will be offered a home visit. Somebody will go out to visit with the family, to assess this family, to figure out their immediate needs. Crisis stabilization is critical to this. They will then have an array of services, which are packaged in AFY, which are we're going to have mental health assessments available, we're going to have mental health slots set aside for these children. We are also going to have family counseling support services, as well as case workers in DSS who could provide preventive services, which is a whole host of services that they're entitled to if their child is in danger of becoming placed in foster care.

We're also going to have some lower level services, because a lot of times the child needs to be connected to the community, so we're putting in contract money for the Youth Bureau to do RFP's for six contract agencies to be local communities to hook these children up with resources and services already in the community, and make sure that they're attached and they have good role models, which then leads to the next component, which is the Mentoring Program. The Probation Department will do an RFP for Mentoring, so that we will also tie these children to strong role models and develop connections to the community.

So, it's a comprehensive array of services that we believe will allow these parents, not only the services they need, but will give them an avenue to resolving their problem without entering the criminal justice system. That's the total overview of it. We're prepared to answer any questions. You know, we could go over the financial aspects of it. But, essentially, we're spending 1.5 millions dollars in services here, getting a significant amount of State and Federal •• State reimbursement, and also bringing in a net savings to the County, because we're going to lower the number of children entering the criminal justice system and finally ending up in institutional placement. So, you know, as the phrase goes, it's a win•win•win. I think I modified that a little bit.

**LEG. VILORIA•FISHER:**

Thank you, Janet, for giving us a capsule of the program. When we originally spoke about this in 2001, we had anticipated that there would be a Juvenile Detention Center also in Suffolk County, so we wouldn't have the transporting of young people to out of state. That has now stalled. How does that impact the budgetary aspect of this, the whole program?

**COMMISSIONER DEMARZO:**

Unfortunately, that's the one piece of our committee that's missing here today, but it really is not •• I mean, it will have •• the detention center will have an impact, but it's not going to directly impact the AFY Program. I can't speak about it, you know, more definitively than that.

**LEG. VILORIA • FISHER:**

Okay, because that had been a piece of what we were looking at in lowering some of the costs, you know, in 2001, was the cost of transportation, the problem with having kids away from their families. I mean, the value of having the kids near their families was an important piece of this. And so, I just wondered whether there was a hole in the program now that that is not occurring ••

**COMMISSIONER DEMARZO:**

Not to my knowledge.

**LEG. VILORIA • FISHER:**

•• budgetarily and psychologically.

**COMMISSIONER DEMARZO:**

Not to my knowledge, because it was never •• you know, that was •• that was an additional service. This is a stand•alone intervention program, and the detention center may impact the overall probation placement and cost, but this is a stand•alone diversion prior to the child getting into the system. The nonsecured •• the detention facility was children had already gone into the system. So, we're at the front end and the detention center would be at the back end, so, they're not the same populations.

**LEG. VILORIA • FISHER:**

Okay. There had been discussion before 2001 where we talked about trying to take a more holistic and preventive method of looking at kids entering the system, but, at that time, the courts were very much in the discussion, judges were very much in the discussion, and I see here that the judicial is not an integral part of this look here. Why is that? How did the paradigm shift occur and why?

**COMMISSIONER DEMARZO:**

Well, actually •• well, the court wasn't present at all the meetings, they were present in some of the early meetings, but we also had the law guardians involved in the process, which are key

to the judicial process in Family Court. And we also had representatives from Sagamore Psychiatric Facility, which are key players in placement decisions and evaluations for the Family Court.

The goal is, you know, the Court •• in fact, I just spoke to Judge Freundlich this morning and said that, you know, I wanted to make sure that he was aware of the Alternative for Youth Program, and he said that John Desmond had fully briefed him and he was very supportive. Anything that we could do to keep them from his courtroom, he would be supportive of. So, it is •• the goal here is not necessarily •• there's two ways to approach this, the children that get through the system and need placement, can we develop more local placements and keep them here, and can we keep children out of the whole system? So, this is the preventive end, this is the front end. We are still working, and Judge Freundlich and members of the judiciary have met with the County over the last, you know, year in talking about local placements, but we want to take it from both the back end and the front end, and this would be a preventive part of it.

**LEG. VILORIA • FISHER:**

Okay. One last question. You mentioned an RFP for mentoring. Okay. I'm a little confused about that. When you talk about that, you're saying an RFP for the mentoring to be done by an agency such as Big Brothers Big Sisters, that kind of thing; is that what you're referring to?

**COMMISSIONER DEMARZO:**

Correct.

**LEG. VILORIA • FISHER:**

Okay.

**COMMISSIONER DEMARZO:**

For them to structure a mentoring •• oh, and if I got this one, tell me.

**LEG. VILORIA • FISHER:**

Okay.

**COMMISSIONER DEMARZO:**

To go out and develop mentoring services and coordinate placing the children that are in the AFY Program with the appropriate mentors.

**LEG. VILORIA • FISHER:**

Okay. How many groups are out there that do this kind of program? I know Big Brothers and Big Sisters. And who else does it?

**COMMISSIONER DEMARZO:**

I understand from Probation that there's a number of groups out there ••

**LEG. VILORIA • FISHER:**

There are?

**COMMISSIONER DEMARZO:**

•• a number of community groups that do this, because they do run currently a mentoring program within the Department of Probation. But one of the things we didn't want to do was overburden existing systems, that's why each piece of this program that we felt the families would need was given money or •• and staff to make sure that it was successful, and we tried to bundle it together. So, there are mentoring services, I believe there are a number of community groups that run them. I don't know if they're as large as Big Brother and Big Sister and run the whole County.

**LEG. VILORIA • FISHER:**

Okay. Thank you very much.

**CHAIRMAN TONNA:**

Any other questions? Any questions? No. I think •• thanks.

**COMMISSIONER DEMARZO:**

Thank you.

**CHAIRMAN TONNA:**

Just Commissioner Harper, just have a question with regard to •• Legislator Lindsay mentioned some things at our last meeting, our last regular committee meeting, with regard to Wastewater Management ••

**COMMISSIONER HARPER:**

That's correct.

**CHAIRMAN TONNA:**

•• permanent •• and we did address it just, you know, just a tad, the other thing, but I think you said that you were going to be ready to talk a little about that today at this Committee meeting.

**COMMISSIONER HARPER:**

Yes.

**CHAIRMAN TONNA:**

Great.

**COMMISSIONER HARPER:**

Yes. And if I would invite my staff to attend ••

**CHAIRMAN TONNA:**

Sure.

**COMMISSIONER HARPER:**

•• as well.

**CHAIRMAN TONNA:**

There we go. Hello, Gentlemen. How are you?

**COMMISSIONER HARPER:**

We are prepared this morning to conduct a full presentation regarding the program. But let me just share briefly with you that it's my understanding that this has been an ongoing concern as far as wastewater management is concerned here in Suffolk County. And we are very pleased to report that, as a result, really, of a collaborative effort with the Legislature, the Department, and The County Executive's Office, that we were able to put in place a program that we think will ultimately resolve this problem in the fairly near future.

And just so that you are aware, we did begin to plan •• put this plan together as early as July of this year, and then it was essentially revised again in October. And I'm going to let Vito Minei, who's the Director of our Division of Environmental Quality, basically describe to you the program, and he really has an understanding of what many of the issues are.

I did have an opportunity to visit the site, and it's very clear to me that the additional staff that was provided as a result of the Legislative efforts will certainly help in addressing many of the problems. And having said that, I'd like to turn it over to Mr. Minei.

**MR. MINEI:**

Thank you, Dr. Harper. Chairman, Members of the Committee, Counsel, staff, I'm Vito Minei, Director of Environmental Quality. I understand there's some concerns about the backlog in Wastewater Management. I'm joined today by my colleague and the Chief of the Office of Wastewater Management. We're sensitive to your agenda and your time constraints. I thought what I could do is possibly give you a quick overview of the operations of the Office of Wastewater Management, talk about the historic problems with the backlog, and then get into a little bit more detail and turn it over to Walter for any specific questions you might have.

I know most of you personally, so I think you all know that we take very seriously our public health and environmental quality protection responsibilities and our code and standard regulatory authority, but in many instances, and specific to the Office of Wastewater Management, there are other services. We're talking about home building, office and business construction, and we're very frustrated with the backlog.

You have a package that we put together for you. I'm going to be referring to the one•page overview. And, again, if there are any specific questions, I'll turn it over to Walter who's in charge of the operation out in Riverhead.

I think you all know that if you want to build homes or businesses in Suffolk, you have at least two stops here in Suffolk County, one to the town for your building code and zoning requirements, and then you have to go out and apply to our Office of Wastewater Management in Riverhead with regard to water supply and sewage disposal.

Part of the problem is that we're at really almost record high levels of applications. We have

about, 8,000 applications we're projecting for 2004, nearly 7,000 individual homes, and the other thousand divided between commercial/industrial applications and subdividing land. What really exacerbates the problem is the number of reviews that are incurred. I'm not on aware of too many projects that are able to get through with one review. What we're facing now over the last several years is that the building sites are becoming more problematic. There really is no such thing as an easy building project in Suffolk County.

We came to you last year because the backlog, the time to get and process permits was really getting out of hand, and this body was very responsive. We asked for five positions, and it was probably just about this time last year, and you almost immediately turned around and included five positions for Wastewater Management in the Omnibus Bill of the 2004 budget. With the new administration, I discussed it. I discussed it personally with Kevin Law probably in March, and he almost immediately signed off on four. If you recall the process we were in earlier in the year, the departments were being asked to set priorities on all vacancies as we moved into 2004, and four of the five positions for Wastewater Management were included in the overall Health Department priorities. So, the County Exec's Office signed off immediately on those four. We went back and discussed a little bit more, an additional clerical position was added. And, also, in the interim, from when we made our case last year about the five positions, the senior most engineer in the Wastewater Management Office retired, so we had that problem, and that vacancy request is over to the County Executive now and we expect that to be opened as well.

The problem with the backlog in Wastewater Management touches all phases of what you would intuitively think happens. The clerical, the time to log in, take the checks and process them, the review that has to be done of plans, and all the other elements of responding to engineers, surveyors, attorneys, so all elements of the permit processing has been a concern. And, as Dr. Harper indicated, we're very pleased, and we want to thank either Legislature, as well as the County Exec's Office, for getting us the staff.

Almost immediately, when Joah Sapphire and the Commissioner came on board, they asked for a formal plan to address the backlog reduction. So, what you have in that package was the response to the new Health Administration, which was our overall plan where we anticipated, if we got the staff that was asked, if we were allowed sometime to train, get those people in the field or reviewing plans, that within approximately a year or so, we could significantly reduce

what everyone agrees is an unacceptable backlog, but cutting it at least in half. We're hoping to go beyond that, but at least in half. So, that's what that July backlog reduction plan is, it lays out all the numbers of applications, what people do, what we have •• what we've done in response, and there are other administrative responses, including overtime. We've changed the telephone system. It's comparable to other regulatory agencies. But we're moving forward on this backlog reduction plan. You have a status report, as the commissioner indicated, in the October time frame, which shows you some of the progress that is •• that we've been making.

And again, I've met several times personally with members of the building trades and with other elected officials, and I can assure you, there is nothing else, there's no other issue for us other than the classical one of increasing workload versus reduced staff overtime, and I think we're addressing that need, and we're heading towards, I believe, more acceptable backlog, or at least time periods with regard to processing permits. With that, I'll entertain any questions.

**LEG. VILORIA • FISHER:**

Mr. Chair.

**CHAIRMAN TONNA:**

Yep. Legislator Vilorina • Fisher.

**LEG. VILORIA • FISHER:**

Thank you for coming down. This is a very timely issue and we're all very concerned about it. But when I look at the projection on the overview, the backlog reduction plan, it seems to be over nine months, right? That's •• I believe that was the time ••

**MR. MINEI:**

Well, we started in July, and now we're projecting it forward from October. So, it was about a 12 • month time period ••

**LEG. VILORIA • FISHER:**

Okay.

**MR. MINEI:**

•• from the time we submitted to Mr. Sapphire and the Commissioner our original backlog reduction plan in July.

**LEG. VILORIA • FISHER:**

And I know there's frustration on your part, trying to catch up work with the backlog, but I just received a call from a constituent whose house burnt down and they're not going to •• their insurance is going to stop paying rental very soon, and their caught up in this backlog. And I think, as people who work with constituents, our frustration comes from seeing the individual people, and nine months is a long time to try to catch up. Is there some way that we could do a temporary beefing up to accelerate the catch•up time? You know, we did it last year when we were looking at Child Protective Services and a backlog. It worked. We were able to do a •• you know, a temporary fix to try to catch up and then continue with a more streamlined workforce, but when we're playing catchup, it's very, very difficult. And saying that you've lost your most senior engineer, I assume that's going to have an impact •• that has had an impact. How can we try to catch up at a little faster pace?

**MR. MINEI:**

Yeah. What we've tried to do is really address this head on. I think the overall plan is sound. I think the other administrative measures we've taken are very helpful. The question you're asking, Legislator Fisher, is something that Joe and I handle almost on a weekly basis with Walter, is •• are there some circumstances where we should consider expediting. And we're trying to work through categories that we feel are responsive to the overall concern that everybody in the County should have a strong feeling that their application is getting fair and equal treatment to others. But we've been dealing with the possibility of certain categories, emergency situations like you highlight, some of the priority concerns for the County Executive, namely workforce housing and large economic development projects. A lot of school projects come in under very tight •• it's very difficult for us to have another plan in motion like you're asking, Legislator Fisher, with regard to let's streamline a little bit more. I think our approach is the proper way.

We want to get to a point where there is no backlog for anybody, and as they come in, we'll be able to handle them all in a timely fashion. But I think what you're asking is, are there special circumstances where we should consider expediting, and I think we're open to that discussion.

**LEG. VILORIA • FISHER:**

Oh, no. What I was asking was, is there a way that we could beef up the number of people you

have there?

**MR. MINEI:**

Well, we have other ways ••

**LEG. VILORIA • FISHER:**

What I had done last year was we added •• we brought back some retirees on a temporary basis. You know, that senior engineer who retired, maybe he'd be able to come back on a part •time basis to help •• to get it going to inject some ••

**MR. MINEI:**

That might be a bad example, but ••

**LEG. VILORIA • FISHER:**

Okay.

**MR. MINEI:**

But I understand what your •• what your ••

**LEG. VILORIA • FISHER:**

I don't know who it is, I don't know the person.

**MR. MINEI:**

There are other ways of temporarily beefing up. And, again, Mr. Sapphire and I have talked about that, temporary clerical help and things like that we can •  
• bringing in engineers or Sanitarrians to do this kind of review is a little bit problematic. Reaching out to retirees is a little bit of a concern. It's an interesting point. I don't think it really gets to the heart of the backlog and things like that. We're going to try to move up the time frame and reduce the number and weeks we're projecting as a backlog, and in that interim, I think we really have to consider some emergency cases as special situations for expediting, but very few cases.

**LEG. VILORIA • FISHER:**

Now, do you have a request for more fleet vehicles in this budget?

**MR. MINEI:**

Yes.

**LEG. VILORIA • FISHER:**

Because I notice in the report that it said that you needed more.

**MR. MINEI:**

Yes. We're discussing that as well as the •• in the context of how vehicles are handled by the Legislature and the County Executive in our overall budget. Yes, we need to get more vehicles in the hands of our field people, we acknowledge that, and, yes, it's part of our overall request.

**LEG. VILORIA • FISHER:**

Okay. Thank you.

**COMMISSIONER HARPER:**

If I might add.

**LEG. VILORIA • FISHER:**

Yes, Dr. Harper.

**COMMISSIONER HARPER:**

•• Legislator Fisher, I don't think we should completely close the door, because I understand your question is basically what can we do to even decrease the time frame a little bit more, so that we can address the backlog within the nine•month period. And, as was suggested, maybe we could sort of investigate it and see if there are other candidates who formerly worked for the department that we could potentially bring back on some sort of a temporary basis. That sounds like a good idea to me, and maybe we should investigate that a little further to see if that's a ••

**MR. MINEI:**

I'll take that as a directive. We will do it.

**LEG. VILORIA • FISHER:**

Thank you.

**CHAIRMAN TONNA:**

Just we were going to get some numbers. I think there was •• by Mr. Zwirn, there was a testimony that every person that comes in goes right through the numbers, and everyone is processed in order, and first in, first out.

**COMMISSIONER HARPER:**

Right.

**CHAIRMAN TONNA:**

Now, I just •• you know, do you have that, do you have that log for us?

**COMMISSIONER HARPER:**

Yes. Do we have that information? I know there were some problems in collecting that sort of data, that maybe we can have Mr. Hilbert share with you.

**MR. HILBERT:**

Yeah. Actually, when we •• when we get an application it gets logged in our computer system • •

**CHAIRMAN TONNA:**

Right.

**MR. HILBERT:**

•• that's known as Blacksmith. There are certain fields within that which are fields that we can retrieve out and get timely information. Reporting is not as easy as you would think it would be, that you can just selectively pull out information. So, actually, we were able to get out reports that gave us information, such as when the application was received, first processed, but not necessarily ••

**CHAIRMAN TONNA:**

In sequential order.

**MR. HILBERT:**

•• in sequential order.

**CHAIRMAN TONNA:**

Right.

**MR. HILBERT:**

There are also other things when you look in a report of that type. For example, if you have a subdivision application into the department and you're required then to submit residential applications for the individual lots that were created. When that application comes in, it becomes part of the subdivision application. So, even though it may seem like it was taken ••

**CHAIRMAN TONNA:**

Right.

**MR. HILBERT:**

•• quickly, it really wasn't, it was part of an overall project. So, the reporting of that is very difficult.

**CHAIRMAN TONNA:**

My point, and I think, you know, without trying to embarrass anybody or anything else, first of all, my district office, in the years that we've had to deal with this department has been exceptional. And, Vito, I want to commend you on what you've done in so many different areas, but this •• you have •• you have been excellent. But to be able to say, to have somebody who speaks for the County Executive, to carte blanche testify and say that I am assured that there is a first in, first out, I mean, none of you would really want to test the scrutiny of that, would you? I mean, would you •• would you really want to be able to say that if we were able to gain that information, that, you know •• I mean, not just now, you know, for the last how many years, that everything is handled in absolute sequential order, that •• you know, that it's •• that there are no higher priorities, that there are no •• or anything else like that? I mean, you feel •• you feel comfortable in saying that?

**COMMISSIONER HARPER:**

Yeah. Let me just be clear. I think what is being suggested, and I can only ••

**CHAIRMAN TONNA:**

That's what I'd love to •• I'd love to hear clarity.

**COMMISSIONER HARPER:**

I can only •• I can only be, I guess, held accountable for the time that I've been here.

**CHAIRMAN TONNA:**

Right.

**COMMISSIONER HARPER:**

But, basically, what it is, and this is my concern of what the problem is, is that when an application comes in, it goes through various routes, so that it may appear that one that came in before another one gets approved ahead of time, but it's not as if •• I don't want to leave the committee with the suggestion that it's ••

**CHAIRMAN TONNA:**

Well, if there's •• if there's a box of applications in a •• you know, if there is a whole bunch of applications in a box waiting, okay, to be opened, or checks to be opened, or whatever else, I mean, you know, is there •• I've seen it in many other departments, and, you know, in places where they log in a number, you know, they track the numbers. I mean, all you have to do is go to Federal Express ••

**COMMISSIONER HARPER:**

Right.

**CHAIRMAN TONNA:**

•• or UPS, or, you know, whatever else. They have a tracking system and a log number and, you know, how it's done. Do you have any ••

**COMMISSIONER HARPER:**

Yeah. Let me ••

**CHAIRMAN TONNA:**

•• turnover stats, as far as, you know •• I mean, in my business, when somebody comes in for

an annual physical, we track when they get in, when they get their report. I have those statistics. Do we track that?

**MR. MINEI:**

Yeah. We hear your question, that is •• that is a legitimate one. As Walter said, we weren't set up to respond to that, but we're working with our Information Systems people to try to respond to that.

I can give you my perspective to your other question. Has every application come in in the last year been treated in the time it has? I would say the overwhelming majority has. Have there been instances of expediting? That is the process I tried to explain to Legislator Fisher, that between the administration of the department, as well as the overarching directive given by the County Executive with regard to assuring fairness to all applications, we're trying to work out categories that we think should be pulled, and there have been a few instances. What the concern I was hearing was we had too many categories that we were expediting, and we're trying to trim that down to the ones I think I mentioned, things like workforce housing, school projects, a few municipal projects. But to answer your question honestly and fairly, the overwhelming majority have been treated in the order they've been received, except for the few instances in the categories I just mentioned.

**CHAIRMAN TONNA:**

Okay. Now, how about, just to •• as a follow•up to that, has there been any directive that somebody on a particular application is to call the Executive Office to find out the status of their application? Has anybody been directed to ••

**MR. MINEI:**

The County Executive's Office?

**CHAIRMAN TONNA:**

Yeah.

**MR. MINEI:**

No.

**CHAIRMAN TONNA:**

In other words, you have to call the County Executive to find out the status of, you know, this or that?

**MR. MINEI:**

No.

**CHAIRMAN TONNA:**

No?

**MR. MINEI:**

No. The ••

**CHAIRMAN TONNA:**

I just •• I want to know, because I have an answer.

**MR. MINEI:**

Oh, okay.

**CHAIRMAN TONNA:**

I mean, you know ••

**MR. MINEI:**

Oh, I can imagine what your answer is.

**CHAIRMAN TONNA:**

So, I just •• you're on the record and I just •• I just want to know. Nobody here has been in any way directing, or asking, or saying, "Hey," you know, the Executive Office, outside of the Health Department ••

**MR. MINEI:**

Right.

**CHAIRMAN TONNA:**

•• and outside of your department, and the people who are responsible for handling this, you

know.

**MR. MINEI:**

I'll take a crack from my perspective, then I'll turn it over. The directive I've been given is any calls that go to Walter, as Chief of that office, or to me, to discuss programmatic issues of status, or things like that, where this project stands, we're to respond very quickly. Any questions of expediting ••

**CHAIRMAN TONNA:**

Right.

**MR. MINEI:**

•• I've been asked to move forward to the administration of the department.

**CHAIRMAN TONNA:**

Okay.

**MR. MINEI:**

But I haven't personally said, "Go call the County Executive."

**CHAIRMAN TONNA:**

No, okay.

**MR. MINEI:**

In fact, periodically, I have to instruct the staff never to say that kind of response.

**CHAIRMAN TONNA:**

Right. So, now it goes to the administration of the department; that's you guys, right?

**COMMISSIONER HARPER:**

That's correct.

**CHAIRMAN TONNA:**

Your the department?

**COMMISSIONER HARPER:**

That's correct.

**CHAIRMAN TONNA:**

Okay. So, now, how do you deal with when somebody requests and expedition of a ••

**COMMISSIONER HARPER:**

Well, generally, it's my understanding it goes to Mr. Sapphire.

**CHAIRMAN TONNA:**

Okay.

**COMMISSIONER HARPER:**

But we're very clear that it should be a consistent •• it should be consistent policy. That's my understanding.

**CHAIRMAN TONNA:**

Which ••

**COMMISSIONER HARPER:**

Which means ••

**CHAIRMAN TONNA:**

Mr. Sapphire, what is your consistent policy?

**MR. SAPPHERE:**

The consistent policy is that I think that when the Commissioner and I started in the department, you know, we inherited this large backlog, and so that our goal and objective as a policy •• our goal and objective as a policy was to create this backlog reduction plan, so that we could have an objective way to reduce the backlog for everyone.

**CHAIRMAN TONNA:**

Right.

**MR. SAPPHIRE:**

That was our goal.

**CHAIRMAN TONNA:**

Okay.

**MR. SAPPHIRE:**

And that's what we set out and that's what we've shared with you.

**CHAIRMAN TONNA:**

That's great.

**MR. SAPPHIRE:**

And we developed that in July.

**CHAIRMAN TONNA:**

That has nothing to do with the question I asked you.

**MR. SAPPHIRE:**

And so that •• well, the goal and objective ••

**CHAIRMAN TONNA:**

No, no. When •• no. Hold it. Just the question that I asked is we found that there's a trail that goes from the Department, it goes to you guys. Now, you say it goes to Mr. Sapphire.

**COMMISSIONER HARPER:**

That's correct.

**CHAIRMAN TONNA:**

So, now when "X" •• when there's something •• I don't want to know about your goal, your goals are laudable, those are •• that's wonderful, we all want that. When there's a request to expedite an application, it now goes to you. What do you do with that?

**MR. SAPPHIRE:**

And I just want to point out that we've made success in reducing the backlog.

**CHAIRMAN TONNA:**

I'm happy about that. What do you do with •• when there is a request?

**MR. SAPPHIRE:**

And the when •• and when, also, the new •• the new administration in the Health Department did come in, also staff in Wastewater was being called by elected officials directly.

**CHAIRMAN TONNA:**

Right.

**MR. SAPPHIRE:**

Line staff ••

**CHAIRMAN TONNA:**

Right.

**MR. SAPPHIRE:**

•• was being called directly. And that was taking away also from them from doing their job.

**CHAIRMAN TONNA:**

Absolutely.

**MR. SAPPHIRE:**

And so that was not productive, again, for ••

**CHAIRMAN TONNA:**

Great.

**MR. SAPPHIRE:**

•• for the whole, because that would not allow us to reduce the backlog.

**CHAIRMAN TONNA:**

Great. So, then it went to you.

**MR. SAPPHIRE:**

And so what we asked staff is that all requests should be submitted to the •• to the Commissioners Office to be reviewed.

**CHAIRMAN TONNA:**

Right, and now it goes to you.

**MR. SAPPHIRE:**

And so that ••

**CHAIRMAN TONNA:**

And then what do you do with it?

**MR. SAPPHIRE:**

And so the goal, again, just like Ben Zwirn did say, and that's what we've done, is that first in, first out. That's been our policy and that's what we have tried to •• that's what we've tried to do, you know, and that that's •• you know, we discussed that with the County Executive, and then that's been a shift from how it was handled in the past.

**CHAIRMAN TONNA:**

Right.

**MR. SAPPHIRE:**

And that that's been our goal and that we're making progress in reducing the backlog.

**CHAIRMAN TONNA:**

Okay. Now, you know, I know you know you didn't answer my question. Now, you don't want to answer my question, that's fine. I'm asking a very, very specific question, sir. There are calls that are made to you, then, obviously. What do you do when you receive a call to expedite? I know the goals and I know you •• listen, I ••

**MR. SAPPHIRE:**

Right.

**CHAIRMAN TONNA:**

Have only the highest regard, and I know that this is not •• this is not a problem that you created; okay? I'm not •• I'm not blaming anything, or anything like that. I know your goals. I know what

Mr. Zwirn said. Believe me, I know what Mr. Zwirn said. I'm asking you now, when Legislator Tonna calls ••

**MR. SAPPHIRE:**

Right.

**CHAIRMAN TONNA:**

•• and says, "Expedite this," and then I'm directed then to the Health Commissioner who says, "No, it's Mr. Sapphire," I'm just •• you know, hypothetical, what do you tell me, Mr. Sapphire?

**MR. SAPPHIRE:**

And I think that •• again, in discussing this as a new policy with The County Executive's Office, is to provide as much information as possible, to provide the status of the application and where the application is, the issues with the application ••

**CHAIRMAN TONNA:**

Great.

**MR. SAPPHIRE:**

•• so that you can inform your constituents of what the status is of the application, what ••

**CHAIRMAN TONNA:**

It's never call the County Executive?

**MR. SAPPHIRE:**

•• what information is missing, and then ••

**CHAIRMAN TONNA:**

It's never to call The County Executive's Office directly?

**MR. SAPHIRE:**

And then, if there's been a letter written and that's been •• not been satisfied of the status, if there's been conversations and that's been •• and that's not satisfied, then it's beyond the scope of the Department of Health, because this is our policy. This is the policy that we're trying to implement ••

**CHAIRMAN TONNA:**

Right.

**MR. SAPHIRE:**

•• in order to reduce the backlog for everyone, so that then •• you know, so that then, if this is out of our hands, then ••

**CHAIRMAN TONNA:**

Then where do you •• then what do you do?

**MR. SAPHIRE:**

Then, if there wants to be a decision at a higher level at the County Executive's Office, that can be made.

**CHAIRMAN TONNA:**

Right. So, then, what you do is you direct them to The County Executive's Office.

**MR. SAPHIRE:**

That was done once with Legislator Lindsay, after we had written the letter, after we had •• after I had discussed it with him on the phone, and that, as far as reviewing it, I think that the Department of Health had done an excellent job with that application.

**CHAIRMAN TONNA:**

We've already given them like high grades.

**MR. SAPHIRE:**

And that's still •• still, Legislator Lindsay did not feel satisfied the policy choices that were being made, with the work being done by the staff, and so that, as a last resort, you know, perhaps,

you know, the County Executive would like to, you know, talk to him to •• you know, because he's an elected official, and we are all subject to the rules and regulations that you set up. You're the lawmakers.

**CHAIRMAN TONNA:**

I want you to know, you're a pro. You have •• you haven't even come •• really, I appreciate •• and I know I've put you in a difficult position, sir, and you have dealt with it admirably, but •• so, the way I get it, with all that said, is you guys, if there is a request, it's then sent over to the Commissioner, the Commissioner sends it to Mr. Sapphire, Mr. Sapphire, after explaining and, you know, communicating where that application is and the process, and everything else, basically, then sends it to the County Executive.

**MR. SAPPHERE:**

Well, as I said, that's only happened once.

**CHAIRMAN TONNA:**

Happened once?

**MR. SAPPHERE:**

Only ••

**CHAIRMAN TONNA:**

Wait. Are you sure that it's only happened once?

**MR. SAPPHERE:**

Yes.

**CHAIRMAN TONNA:**

Yes.

**MR. SAPPHERE:**

And that because providing the status has been •• it's important to provide constituent services.

**CHAIRMAN TONNA:**

Right. No, no. We agree that all those things are important. I'm not even •• I'm not even criticizing you. All I want to know is, you say it's only happened once.

**LEG. FOLEY:**

Mr. Chairman.

**CHAIRMAN TONNA:**

No. Let me finishing, Legislator Foley, and there's a list.

**LEG. FOLEY:**

Thank you.

**CHAIRMAN TONNA:**

Legislator Lindsay has •• wants to go and, a few other people.

**LEG. FOLEY:**

Very good.

**CHAIRMAN TONNA:**

It's only been done once when you have directed somebody, a Legislator or Legislative staff, or somebody, to the County Executive?

**MR. SAPPHERE:**

It was not a directive, it was trying to be helpful. I mean, as you can see is that we had a productive ••

**CHAIRMAN TONNA:**

I'm not •• I'm not •• directed. What I'm saying is, in other words, you said, "Look, I've given all the information" ••

**MR. SAPPHERE:**

Right, right. We've written a letter.

**CHAIRMAN TONNA:**

"And, listen, you're not satisfied with everything I got."

**MR. SAPPHIRE:**

Right, right.

**CHAIRMAN TONNA:**

"You've got to go talk to the County Executive." Okay? Thank you. That's what I want to try to find out.

**MR. MINEI:**

I would just make one small correction.

**CHAIRMAN TONNA:**

Wait, wait, wait, wait. There's a list. There's a list. Legislator •• oh, go ahead, sir.

**MR. MINEI:**

Just the one small correction. We've expedited one step. I think we've taken the Commissioner out of the loop.

**CHAIRMAN TONNA:**

We go directly to Mr. Sapphire.

**MR. MINEI:**

With the protocol set into place, we go directly to the Deputy Commissioner.

**CHAIRMAN TONNA:**

Okay, great. All right. Legislator Lindsay.

**LEG. LINDSAY:**

Thank you, Mr. Chairman, for recognizing me. I'd like to thank you for sending me a copy of the response from the Commissioner to you. It's a shame that I raised the question that you guys didn't copy me.

**COMMISSIONER HARPER:**

No. Let me just be clear that it's my understanding that it should have gone not only to the Health Committee, but it should have gone to the entire Legislature, that was my directive. So, you're suggesting that you didn't receive a copy of the letter?

**LEG. LINDSAY:**

No, I didn't, I got it from the Chairman. And I got a copy of your report on how you're going to expedite this situation this morning from someone here as well.

**COMMISSIONER HARPER:**

Well, this report was •• this was sent out •• well, this was signed on •• but this was ••

**LEG. LINDSAY:**

I realize it was to the committee, but when a Legislator raises a question, you think they would have the courtesy of copying that Legislator.

**LEG. FOLEY:**

Right.

**MR. MINEI:**

Legislator, that would be •• that would be my problem, and I'm sorry, because my clerical staff handled it.

**LEG. LINDSAY:**

I'm not here to beat up anything.

**MR. MINEI:**

We thought we did what the Commissioner directed.

**LEG. LINDSAY:**

Okay.

**MR. MINEI:**

If we didn't, I apologize.

**LEG. LINDSAY:**

Okay. I'm trying to find, you know, some answers to this obvious problem, okay? I just want to address a couple of things, just going through this briefly. In last year's omnibus, we created four or five new positions?

**MR. MINEI:**

Five, five positions.

**LEG. LINDSAY:**

Five positions. What were those positions?

**MR. MINEI:**

There were two Public Health Sanitarians, which typically we translate to field people or to reviewing individual residential, one Engineer, who does the more complex reviews with regard to subdivisions, commercial, industrial, and I'm doing the math, two clerical to do the processing. So, those were the five positions.

**LEG. LINDSAY:**

How many of those positions have been filled so far?

**MR. MINEI:**

Five, all five have been filled.

**LEG. LINDSAY:**

What were the last ones to be filled?

**MR. MINEI:**

The last one to be filled was the one remaining from the corps of four, which was the clerk typist.

**LEG. LINDSAY:**

The issue that I raised last month was why does it take us six weeks or more to open an envelope and to cash a check and to put an identification number on the application? I mean, wouldn't it stand to reason that the first people we would hire is clerks to open the envelopes?

**MR. MINEI:**

And we're doing that now, but that doesn't give the satisfaction you would suspect at first glance. We tried that for awhile Legislator Lindsay. What we did, and it literally backfired in a short time, was we pulled reviewers from finishing off a project and said, "We've got to get some response." It doesn't make any sense, as you pointed out, to just get somebody assigned to a project, to get the check cashed, just so people have a human to speak to. And that blew up on us, because we were syphoning off staff from just finishing out the project, and all the other psychological problems that it encounters for not finishing.

**LEG. LINDSAY:**

I'm not ••

**MR. MINEI:**

But we hear you loud and clearly.

**LEG. LINDSAY:**

I'm not looking to do that, and I'm not looking to embarrass anybody, but it's an embarrassing question for me from a constituent when he wants to know why does it take us six weeks for us to open an envelope.

**MR. MINEI:**

Yeah. And, quite honestly, I think we've addressed that, and we're trying to address it even further with this temporary clerical help. I don't know. Walter, do you have any details on the reason for it taking so long?

**MR. HILBERT:**

Well, actually, the ••

**LEG. FOLEY:**

State your name for the record.

**MR. HILBERT:**

Sorry. Actually, the mail gets open that day. The day it's received, it gets receipted in, then

goes to one of three account clerks, depending on the application. I have a residential account clerk, a commercial account clerk, and a subdivision account clerk that's responsible for inputting all applications in in that individual program. For the residential program, that's translating to roughly 7,000 applications that this individual's responsible to put in, including cashing the checks, etcetera. Okay?

A backlog did develop within that area in all the inputs for all the various categories. So, in working with both the Commissioner's Office, County Exec's, we have released overtime for the secretarial staff, and right now, applications that were received as late as yesterday are being inputted into the system today. So, that was, again, a workload versus staffing issue, okay, it's not one person who just takes it in.

You're talking about literally several hundreds of applications that are coming into the office on a daily basis, plus information. We log every piece of paper that comes into the office, whether it's a letter from the State on a project that's in review, etcetera. So, all those pieces of paper get logged into our Blacksmith program, so we have a history of what comes through on each particular job. So, it's not like this one person is only putting a check in and that's their only function, so we just needed more time. We've used overtime to that problem and it's been corrected.

**LEG. LINDSAY:**

Okay. The other thing that I would like to address is the backlog. We certainly realize that with the building boom on Long Island, there's been an increase in applications, and we •• everyone understands that if you build a new house, a new subdivision, a new commercial building that you have to get a building permit from the town and you have to get a permit from the Department of Health. What I found in my office, and as a result of a conversation I had, a conference call with

Mr. Hilbert and Mr. Levy, is that this, what I thought was a new regulation, that if you add an addition on your house and you add a bedroom, you now need a permit from the Health Department. I thought that was a new regulation. Mr. Hilbert enlightened me, or, actually, it was in a letter to the Chairman of this Committee, that it goes back to a 1995 regulation. And, you know, what I was confused by is this is something that in constituent services I've just seen within the last year, you know, that I've been getting a lot of calls in my office. And in the discussion with Mr. Hilbert, he told me that he sent out a memo to the various towns, am I correct, making them aware of this regulation recently?

**MR. HILBERT:**

We have guidance that we presented in that letter, which actually was written in 1987, and has been periodically updated. I took over the Office of Wastewater Management in January 2003, and one of the first things that I did was write a letter to introduce myself to the various building officials who were out there, as well as bring up some of these problems that had been, you know, rearing their head throughout time, as far as when people had to go change of use, when people had to come back to the Health Department, and when towns should be directing people back to our office to do an evaluation of both their sanitary system and their water supply.

The town is really the first line of defense. People go to the town with the site plan. It's up to the towns, upon change of use, or, again, adding a bedroom, increasing the footprint of the house, moving the sanitary system, the town's really the people that pick that •• pick that up and direct them, then come to our office for approval.

**MR. MINEI:**

See, it's contagious in my division, we gave you a protracted answer. The answer is yes, there has been letters sent ••

**LEG. LINDSAY:**

Okay.

**MR. MINEI:**

•• and, yes, it goes out periodically ••

**LEG. LINDSAY:**

Well, the only thing ••

**MR. MINEI:**

•• to refresh the memory of the Building ••

**LEG. LINDSAY:**

The only thing that comes to mind is somebody must be actually reading your letters now,

because there has been an increase on the towns' end of the enforcement of this Sanitary Code that wasn't there before. And what's troubling, it's very subjective. Some towns enforce it, some towns don't enforce it, and some towns enforce it subjectively. And if you are ••

**MR. MINEI:**

I would agree with that.

**LEG. LINDSAY:**

And if you are on the downside, I mean, like this poor gentleman that was here last month, you know, he's got three kids and his wife, they're all sleeping in one bedroom because of this application. You know, he fell on the wrong side of this issue and he's suffering for it, and my •

- I guess my question is, if we have such a big backlog, why are we nudging the town to increase applications? Why don't we solve the application backlog first and then nudge them to get •• to enforce the latest regulations?

**MR. MINEI:**

Because •• first of all, I want to agree wholeheartedly with you, that some towns enforce it, some towns don't. That particular application, if you look through the time line, fell into the multiple facets of these problems. One, the representatives he had were holding onto paperwork. There was at least eight weeks into that whole time period that was lost between the applicant and his attorney in filing paper. But, again, we're acknowledging and admitting up front there is a backlog.

The reason is he did not fall on the wrong side of the regulation. To our way of thinking, it's the opposite, he fell on the right side of the application, because what happens is, you talk about three children, a large family, building another bedroom, the size of the system, depending upon the age of his house, is probably woefully undersized. So, what we're doing is trying to provide a service.

What it does, and I see your frustration, because we share it, is it doesn't provide a service if it takes so long to get it through the process. But I wouldn't characterize it as being on the wrong side of the regulation. What we're trying to assure is that the system, the sanitary system, the sewage disposal system is properly sized for a house of that size. But I still acknowledge your frustration and we agree with it.

**COMMISSIONER HARPER:**

If I might add, I thought that part of the problem was the fact that oftentimes a builder would go to the town and receive a list of items that needed to be completed, and after completing that list, go back to the town and then be told, "Oh, by the way, you have to also get this approval from the •• from the Health Department."

**LEG. LINDSAY:**

That's a problem, too.

**COMMISSIONER HARPER:**

So, that's why it was important ••

**LEG. LINDSAY:**

That's definitely a problem, too.

**COMMISSIONER HARPER:**

•• to make sure that the towns were aware that when they meet with an individual builder, they make sure that they're aware up front that they're going to need approval from both departments.

**LEG. LINDSAY:**

I had this discussion with Mr. Sapphire in one of our conversations about the Health Department notifying the towns ••

**COMMISSIONER HARPER:**

The towns, right.

**LEG. LINDSAY:**

•• that if they could make the applicant aware at the time of applying for the building permit that a Health Department certificate might be also needed would save a great deal of time.

Mr. Minei, is your •• talking specifically about this applicant, in my discussion with Mr. Levy and Mr. Hilbert, Mr. Hilbert pointed out to me that the applicant, it was an old house, and he had a block cesspool and it was •• should really be changed anyway, and that he went from a four

•bedroom house to a five•bedroom house. And I called the applicant back to explain that to him, because I thought that was a very rational excuse, except he made me feel foolish, because he said to me,

"Mr. Lindsay, I just put in a new cesspool last year, a precast cesspool, not a block cesspool. It's the second precast cesspool that I have in my yard. And I'm not going to a five•bedroom house. I had four bedrooms, I'm still going to remain with four bedrooms, but I'm putting all four bedrooms upstairs and I'm turning the two downstairs into a den." I felt foolish.

**MR. MINEI:**

Well, I apologize. I'm not conversed in any details. Can I turn it back over to Walter and ask him to respond? Thank you.

**COMMISSIONER HARPER:**

And let me •• excuse me. Let me just be clear that these are •• this is the way that the law is written and I don't know if we have flexibility within that. I think that's part of the concern, is that it appears as if the Department of Health can say, "Oh, that's reasonable, let's not do that," because it's my understanding ••

**LEG. LINDSAY:**

Talking to Mr. Hilbert, from my understanding of the regulations ••

**COMMISSIONER HARPER:**

Right.

**LEG. LINDSAY:**

•• it's •• if you add a bedroom, isn't there a category up to four, and then from four to six, or something like that?

**COMMISSIONER HARPER:**

Okay.

**LEG. LINDSAY:**

This constituent contends that he hasn't added a bedroom.

**COMMISSIONER HARPER:**

I understand, okay.

**MR. HILBERT:**

In this application, the leaching pool •• the house was originally built in 1954 and the system has been changed over time to include two precast septic leaching pools. There is no septic tank associated with the design of the system, which was a requirement as of 1973.

When you would look at the State Code, okay, which was the code that was adopted in 1990, which is Article 75(A) the State Sanitary Code, the code is clearly written. It says any room that is used as a bedroom or could potentially be used in the future as a bedroom is calculated, for the purpose of design, as being a bedroom. When the Building Department reviewed the plans, and, again, this is where the Building Department comes in and requires that individual to come to us, they've made an \\_assertation\\_ that an additional bedroom was added. They may feel that in the site plan the den or an office downstairs has the potential to be used as a bedroom, so, therefore, the applicant increased from four bedrooms to five. That is a town call.

**LEG. LINDSAY:**

That's the subjectiveness of what I was talking about before. And my point is simply this, we don't have any control over the town the way they subjectively look at an application, but my point was why are we encouraging the town to increase enforcement until we have the proper staff to meet the increased application load? Why do we have to increase the applications and then get the staff and make people go through this.

**MR. MINEI:**

It's simply a matter that we don't have discretion to ignore some of our regulatory authority.

**LEG. LINDSAY:**

Yeah, but evidently we've done something in the last two years to suddenly have these towns start enforcing this code that they hadn't been doing before.

**MR. MINEI:**

It's almost nine years. But he point ••

**LEG. LINDSAY:**

No. But this has all come about recently, I'm telling you, recently.

**MR. MINEI:**

Well, that, again, I mean, I think that maybe it was too subtle a point. The responsibility resides totally with the town. People come to me all the time and say, "Vito, why don't you cut down the number of units that are being proposed on the site?" We don't have that authority. We don't have the authority to look at a set of house plans and say, "Gee, we think it's only four bedrooms, the town thinks it's five, we'll design the sanitary system based on four." We do not have that authority, that is a town prerogative, town authority. So, when they say five bedrooms, no matter how I look at the architectural plans, I can't make the discussion and call it, "We think it's only four."

Yes, we have to continue to work at communication. We're certainly trying it in the subset of all building with Workforce Housing. We've acknowledged that the time is critical with Workforce Housing. In this situation, Legislator Lindsay, it was a town call that he has five bedrooms. We don't look at that, we look at his application and the town coordination letter that says, "This applicant is proposing five bedrooms." And to say, "Gee, why don't you put that on the back burner until you get everything else straightened out," what that means is you're undersizing the sanitary system.

**LEG. LINDSAY:**

You missed my point totally.

**MR. MINEI:**

I'm sorry.

**LEG. LINDSAY:**

Within the last two years, we have sent out a letter to the towns asking them to increase the enforcement on this particular section of the Sanitary Code.

**MR. MINEI:**

That's not true. What Walter said was, since he took over, he started that letter. The letters were started under his predecessor, and we sent them out periodically. The letters ••

**LEG. LINDSAY:**

Well, Mr. Hilbert must write a more forceful letter, because they're starting to listen to him.

**MR. MINEI:**

He's a pretty compelling guy. I don't know what to say, but no. No. Your original point is the well-taken point, that some towns enforce it very vigorously, some towns do it, you know, sort of intermittently, and other towns ignore us. But the point is the first letter did not go out two years ago, the first letter under Walter's watch went out two years ago, but the letters have been sent out periodically since '95.

**LEG. MYSTAL:**

What happened when the town ••

**CHAIRMAN TONNA:**

Wait, wait, wait, wait, wait, wait. There's a list. Legislator Nowick.

**LEG. NOWICK:**

Yeah. I have also been through this process. Just for curiosity, I went through this process with one of my constituents. It took, God, a year-and-a-half. However, I think that one of the points that was ignored here is Legislator Vilorio-Fisher is looking to come up with a solution, and it seemed to me like it's something that has to be investigated. We did it with the nursing home problem, we did it with the child support. There needs to be a way. How many •• how many do you have now in the backlog? What's the backlog now, how many thousands of applications ••

**MR. MINEI:**

Not thousands, it's hundreds.

**MR. HILBERT:**

No. It's probably •• with all the categories, it's probably on the order of being 600 applications that are backlogged.

**LEG. NOWICK:**

Six hundred applications are backlogged. I have to figure there's a way that we can knock out

the backlog, whether by doing what Legislator Vilorio•Fisher had mentioned. There has got to be a way. Work on it. How can we help you?

**MR. MINEI:**

Our first response, and I worked it out with our Deputy Commissioner, was beefing up the overtime in all categories, clerical, sanitarians and engineers.

**LEG. NOWICK:**

And that might become possible.

**MR. MINEI:**

Honestly, I hadn't thought of this idea of trying to recruit recent retirees. It is a budgetary situation that we don't have the luxury of having it in there, but I think I acknowledged completely that I took it as a directive that the Commissioner wants us to look into it.

**LEG. VILORIO•FISHER:**

We have the luxury of putting it in there, if we need to.

**MR. MINEI:**

Okay.

**LEG. NOWICK:**

Right, and I think it's important to our constituents.

**MR. MINEI:**

No. We will do it. We will reach out and we will see if we can, indeed, secure the services of recent retirees to the unit. It's a good one, we will try it.

**LEG. NOWICK:**

And I just want to say one other thing. While I know it's very, very important to make sure schools and affordable housing projects are fast•tracked, what about these individuals, like this man who's living •• can you imagine living in a bedroom with your three kids? I mean, that to me should be fast•tracked faster. I mean, you know, the little guy's important.

**MR. MINEI:**

Well, this, quite honestly, came up in one of the initial discussions I had with the new Deputy Commissioner. What his sense was, and I •• when I sat back and I thought about it some more, was he was correct, it was like, gee, in this desire to be respondent to all of these concerns, the categories were growing very dramatically, and it went from workforce housing to school projects, to municipal projects, to economic development projects, to projects that related to open space acquisitions and the concern of people •• the categories were really growing by leaps and bounds, and it was starting to get a bad •• be a bad joke, that we had so many categories. But I think we are still being •• as a public health agency, we are trying to react to some emergency cases, whether it's houses burning down and things like that. I mean, that is, I think, a somewhat straight•forward call.

**LEG. NOWICK:**

Just as a follow•up, Legislator Lindsay, is your constituent now, is •• are they through the process? Are they still living in one room? Is that done now? Especially, as I recall, his check stood underneath a counter for how long, through no fault of his own? I mean, is he living out of that bedroom now or ••

**LEG. LINDSAY:**

His application was rejected. He has put in a septic system, and, you know, that was the final determine •• it's been addressed, though.

**LEG. NOWICK:**

We definitely need to figure out how to beef up the force to get rid of the backlog, and then go back to trying to do it a little faster, and I think Legislator Vilorio•Fisher was on the right track.

**MR. SAPPHIRE:**

I mean •• and, Legislator Nowick, I mean, that's what we share, the new leadership, you know, in the Health Department. That's what we did. I mean, we addressed this right away in July, and have been asking the Division for what are the different ways that we can do this. Do we ask for •• you know, there's a floating team from Civil Service. Is there all sorts of things that we can do this to get this done?

**LEG. NOWICK:**

We will anxiously be awaiting the presentation of what we can do.

**MR. SAPPHIRE:**

Okay. Okay, good. Thanks.

**CHAIRMAN TONNA:**

Legislator Foley.

**LEG. FOLEY:**

Thank you, Mr. Chairman. You mentioned earlier about the uneven town enforcement. How can you •• can you compel the towns to enforce this on an equitable basis, or is it more just the arts of persuasion? Whoever wants to answer it. You mentioned how some towns are in compliance, others are not, so the obvious question is, well, then how do you have uniformity?

**MR. MINEI:**

No, we haven't.

**LEG. FOLEY:**

Do you have the authority? And how would we compel uniformity?

**MR. MINEI:**

Compelling uniformity is difficult, because, you know, Legislator Foley you immediately venture into, you know, town ••

**LEG. FOLEY:**

Instead of giving me a long answer, let me •• let me ••

**MR. MINEI:**

We will continue to try.

**LEG. FOLEY:**

Let me ask you this.

**MR. MINEI:**

If it takes meetings. We can't force them to do ••

**LEG. FOLEY:**

Let me ask the question. Let me •• let me rephrase the question.

**MR. MINEI:**

That's the short answer, we can't force them to do what they want to do.

**LEG. FOLEY:**

Well, if there's ••

**MR. MINEI:**

Not to do.

**LEG. FOLEY:**

You mentioned earlier that there's uneven enforcement, that's what you mentioned earlier; okay? Is there a mechanism whereby either the State or the County can inquire an even enforcement among townships in this area, or is it just really left to the •• each town to decide whether or not they want to abide by County codes?

**MR. MINEI:**

We don't have the extravagance of being the watchdogs for every town.

**LEG. FOLEY:**

I'm not asking about extravagance, I'm saying, succinctly, how ••

**MR. MINEI:**

Succinctly, we tell them they'd be in violation of the Sanitary Code if they don't do it. Some towns decide not to send it to us. Well, then let me ask it this way, then.

**MR. MINEI:**

That's the succinct answer.

**LEG. FOLEY:**

If some towns are not •• are not enforcing the County codes in an even-handed fashion, there has to be some mechanism that you, as a regulatory body, can undertake, as you do with any

application that's in violation, if you will. So, if a local governmental entity is not totally abiding by County codes, what mechanisms are there to try to get that particular municipality to come in compliance, just as with an application?

**MR. MINEI:**

See ••

**COMMISSIONER HARPER:**

I understand the question.

**LEG. FOLEY:**

Yeah, yeah. Thank you.

**COMMISSIONER HARPER:**

And it seems like a reasonable question that.

**LEG. FOLEY:**

Yes.

**COMMISSIONER HARPER:**

If it's within the Sanitary Code and within our jurisdictio ••

**LEG. FOLEY:**

Right, right.

**COMMISSIONER HARPER:**

•• let's take a look at that and then we can respond back.

**LEG. FOLEY:**

Thank you.

**COMMISSIONER HARPER:**

It may entail additional legislation ••

**LEG. FOLEY:**

Absolutely.

**COMMISSIONER HARPER:**

•• coming from the department ••

**LEG. FOLEY:**

That's right.

**COMMISSIONER HARPER:**

•• but it sounds like it's something worth pursuing.

**LEG. FOLEY:**

Thank you. Thanks very much.

**LEG. LOSQUADRO:**

Am I next?

**LEG. MYSTAL:**

Yeah.

**LEG. LOSQUADRO:**

Mr. Minei, what would uniformity, in terms of enforcement by the towns, cause in terms of additional backlog? What percentage do you think we get now?

**MR. MINEI:**

Can I defer to Walter again?

**LEG. LOSQUADRO:**

Sure.

**MR. MINEI:**

He's on the line.

**LEG. LOSQUADRO:**

Do you think we get 20% now? Obviously, we •• if we don't get the application, we don't know, so that's sort of the paradox. If they don't want to tell us, we •• you know, unless we start, you know, culling through all their records, but if you had to venture a guess, would it increase it fivefold, tenfold?

**MR. HILBERT:**

The applications that you're talking about, excuse me, are people that are taking and existing house ••

**LEG. LOSQUADRO:**

Yes. No, we understand what ••

**MR. HILBERT:**

•• and are expanding it.

**LEG. LOSQUADRO:**

•• what the process is.

**MR. HILBERT:**

Right. So, that is a small portion of the overall construction. Vast majority of the construction is ••

**LEG. LOSQUADRO:**

Actually, with the prices of new construction now, I think it's •• a lot of people would be •• here would agree with me that that number of remodelings has gone up drastically.

**MR. HILBERT:**

Well, it is growing, but overall of •• there's 7,000 applications, roughly, we get for construction, the vast majority is still new construction, probably 6,000 applications, so ••

**LEG. LOSQUADRO:**

Right, that's the vast majority you receive.

**MR. HILBERT:**

Right.

**LEG. LOSQUADRO:**

That's not to say that those remodelings are not taking place and you're not receiving the applications.

**MR. HILBERT:**

Right.

**LEG. LOSQUADRO:**

I think that's the point we're trying to drive home here. And, if we did receive all those applications, if we think we're paralyzed now, we would achieve a level of paralysis that would • well, the March of Dimes was here earlier and I hate to use the •• you know, it might be in poor taste, but we would need an iron lung.

I'm looking at the •• I've been trying to go through these reports that were submitted here today, because not only did I not receive a copy of that letter as I member of this committee, but this is the first time I've seen any of this information. So, I've been trying to go through it and listen and have side conversations, because this is of great interest to us.

Legislator Nowick pointed out watching out for the little guys. The last time the Commissioner and Deputy Commissioner were here, I pointed out also watching out for the big guys. I've received a number of calls from major businesses, major taxpayers in this County who have projects who have been languishing for nine months and a year. We are absolutely choking the life blood out of this County. These are major corporations that are going to move elsewhere if we do not start paying attention to their needs on something as simple as maybe putting a cafeteria in. This is •• this is ludicrous.

And, you know, I'm trying to go through this and I see things in here, "Backlog will increase until new application rate declines." That's not an answer. You know, we're talking about the building boom. How do we know when that application rate is going to decline? It might not be for five years from now. We need a plan in place that is going to address •• you talk about historic levels, and I apologize for jumping around here. We talk about historic highs. I just had a chance to review these charts. To me, yes, they may be historic highs, but since 1998 in

the residential program, they've gone up and down, and, I mean, we might be marginally above, but as Legislator Lindsay pointed out, this has all transpired within the past year?

So, I don't see •• when we're discussing historic highs, I don't know where this problem has come from. Is it •• you know, having come from the private sector, is it a lack of effective middle management? Are they not telling their staff how to handle these problems? You know, you can have all the staff in the world, and if they're not doing the job, I'm really •• like I said, there's a lot of information here in front of me, that you've tried to outline how you're going to handle this, and I don't see, to me, what is a solution to this problem. In fact •• oh, God, where is it? I think I saw as one of the goals to still have, you know, a two •• backlog projections projected out twelve months that will still be somewhere between a month•and•a •half and two months. You know, we talked about working towards a goal of, you know, processing these applications. I know you will never have a realtime system, it's just impossible, but we're just talking backlog here. That's not the actual processing of the application, that's just the backlog before we start to work on it; is that correct?

**MR. SAPPHIRE:**

That's the time from when you receive it to when it's reviewed. So, when the department, the backlog is the time, the weeks of the backlog is the department received the application, and then when the application then begins to be reviewed by an engineer.

And we agree with you, I mean, you know, we definitely •• you now, we definitely hear you, and we know that the Legislature has dealt with this, you know, over time, and that in our short time here is that, you know, when you talk about the private sector is that the private sector is successful, because it sets benchmarks, and then it measures performance based on those benchmarks, and that's what we try to do here with this plan. And I think that the Division really did a good job of putting it on to paper, and now we have something to hold ourselves accountable to, and that in the three months since we've had this plan, the commercial backlog has fell from twelve weeks to nine week. So, with those important applications that you're talking about in the private sector, those commercial applications, we've seen progress from twelve weeks to nine weeks in just the short time of three months, because the Department is focused on it. And I can't speak for the past of what happened in prior administrations, but I think that we really share your concern, and that this plan sets up the benchmarks, so that we can achieve success.

**LEG. LOSQUADRO:**

Now, with respect to •• mention in here that the backlog will continue to increase. I guess that's the justification for the need for additional staff; is that correct? Because it's saying ••

**MR. MINEI:**

That's part of the response, but the overall evaluation was to address what do we get for the five people that we put on the budget, and the response very shortly was a very substantial decrease in the backlog.

And to answer your original question about '98, what has happened in the last two years, I would just invite your attention to the overview in the graphic in the bottom left•hand corner. Back in '98, the disparity between reviews and staff was much closer than it was in 2003, when we really discussed the need for staffing to adjust backlogs. I've been here over 30 years and backlogs have fluctuated over time. Over the last few years, it has really gotten out of hand, and we believe it's strictly a workload versus reduced staff issue. I'm hoping, from my perspective, it isn't incompetence at the level of supervision.

**LEG. LOSQUADRO:**

This is not meant to be accusatory. We are looking to find a solution to a very serious problem, and I hope you understand from the various comments you keep hearing and the frustration you hear in my voice, in many of our voices, that we are looking to find a problem •• a solution to a problem in the very near future. If that means additional staff, if that means a focused concerted effort, as was suggested by Legislator Fisher, whatever it needs to be, we need to solve this problem, because we have enough problems dealing with constituents and businesses when it comes to tax base, school taxes, everything else that is frustrating and choking the families and the businesses here on Long Island. For them have to •• have to deal with something like this, which should be a simple process for them, government should work in this case, and here it does not. This is going to continue to drive people away. This is going to exacerbate the problem of the drain •• the Brain Drain and the commercial drain that we continue to see.

So, I ask, as many of my colleagues had asked, tell us what you need ••

**COMMISSIONER HARPER:**

Okay.

**LEG. LOSQUADRO:**

•• to solve this problem.

**COMMISSIONER HARPER:**

Let me ••

**LEG. LOSQUADRO:**

Because right now, I know we've started to see reductions, but I see other things as saying other areas of this are going to continue to increase. You know, and you said you've hired, what, four of the five staff or five?

**MR. SAPPHIRE:**

Five, five.

**LEG. LOSQUADRO:**

You're still waiting on the engineer one? Five.

**MR. SAPPHIRE:**

We've hired five, and then we have a Senior Engineer just did retire, but we have a SCIN in with the County Executive to replace that person.

**LEG. LOSQUADRO:**

And what is the status of that? Has the County Executive said that's going to be released or no?

**COMMISSIONER HARPER:**

It would be expected it will be released. But let me just ask a question of the Legislature. Maybe we should be working at this backwards. I think our staff was working with the parameter that one year from whenever we put this new plan in place would be a sufficient time for us to make significant changes. It sounds as if the •• as if the Legislature is asking us to decrease that to a reasonable period of time. And if we knew the parameters of what is reasonable, then we can come back to you with a plan that will address it. If you want it in two

months, three months, maybe it's an outside contract, we work ••

**LEG. LOSQUADRO:**

I think part, then, it's •• it may not be any fault of your own, you may be a victim of circumstances, but I think a lot of the frustration lies ••

**COMMISSIONER HARPER:**

Right.

**LEG. LOSQUADRO:**

•• in the fact that we have seen many of these problems take place over the past year.

**COMMISSIONER HARPER:**

I understand.

**LEG. LOSQUADRO:**

And, unfortunately, that has been your tenure.

**COMMISSIONER HARPER:**

No. All I'm looking is for specific parameters, because I don't want to come back with a plan within six months and then you request that it's three or four months.

**LEG. LOSQUADRO:**

So, you know •• and I understand that you're saying, you know, we put a plan in place, but we would at least like to see it get back to the levels, you know, prior to that, and I think that is where a lot of the frustration lies. There have been a number of misstatements that Mr. Tonna has pointed out, and I won't touch on that, but we know there have been a number of very broad statements made, which, quite frankly, we know not to be true. But we are looking for whatever the staffing models, if from what I'm reading here, you had most of the staff hired and you're saying that the rate will continue to increase.

**COMMISSIONER HARPER:**

No, no, no, no, that's not what the ••

**LEG. LOSQUADRO:**

Based on ••

**COMMISSIONER HARPER:**

No, that's not what the report is saying. The report is saying that we hope to, in effect, cut this in half within a nine-month period, and there may be temporary increases as we bring on new staff that need to be trained, and that's where you may be resulting in a temporary blip. But, ultimately, within the nine months, we believe that we can cut this in at least half, if not more, in terms of the backlog.

**LEG. LOSQUADRO:**

I look forward to your reports on the continued progress of this. I really hope you continue to make progress on it. And if, during that time period, you find out your current model is insufficient, let us know and we will do our best to try to address this, because I still continue to receive those phone calls, I still continue to see the problems out there. There are two in particular that I will not put on the record, but there are two major corporations that are still frustrated and have been waiting in •• like I said, one in excess of nine months, one in excess of a year. And you may say that the backlog has been reduced, but they're still waiting.

**COMMISSIONER HARPER:**

No, I'm clearly not saying ••

**LEG. LOSQUADRO:**

So ••

**COMMISSIONER HARPER:**

•• it's been reduced, but we're saying that it's going take ••

**LEG. LOSQUADRO:**

That's what you just said, you said the backlog ••

**COMMISSIONER HARPER:**

No, no, no. I'm saying that the plan ••

**LEG. LOSQUADRO:**

Over three months the backlog had been reduced.

**COMMISSIONER HARPER:**

Our commercial has •• is going down.

**LEG. LOSQUADRO:**

Yes.

**COMMISSIONER HARPER:**

It's not completely reduced.

**MR. MINEI:**

If I can just add ••

**LEG. LOSQUADRO:**

It's not completely reduced, but ••

**MR. MINEI:**

If I could just add a point, Legislator Losquadro, the graphic in the bottom right•hand corner indicates once again what our evaluation of the current question was, what will happen with five new staff being hired and trained, and we projected out a reduction in all three categories over time. You're asking a different question, and we'll gladly respond to it, what will it take to get a faster cut•back, and what will it take to reduce the time •• the backlog even more. We will gladly provide you with that, as well as the other request of periodic reports on how we're doing with the five we have in hand. We will gladly do that assignment.

**LEG. LOSQUADRO:**

That's part of what I'm asking, but what I'm also saying is, based on the number of complaints I've received and a couple of projects that I'm familiar with, I do not see these projections as realistic, because I don't see the progress there. So, when we start •• we're hearing that it's very difficult to pull these numbers, because, you know, applications get moved to different •• you know, it might be part of a subdivision, but until we start to see hard numbers that show us that, not just a graph, but hard numbers that actually say we are making progress and here,

here are the applications that came in, here's when they came in, here's when they went out, until we start to see that, these are just that, they're projections.

So, if we see those numbers and we see that the model that you put in place is working, great, then we know we have a reasonable expectation that over that time period, we will see improvement. But until such time as we start to see evidence of that, it's just a graph and it's just projections, and I'm still getting the same complaints. So, please, get us those numbers, pull them out however you have to, do the data mining, and, you know, let us know the progress on this. Thank you.

**LEG. VILORIA•FISHER:**

Mr. Chair, if I ••

**CHAIRMAN TONNA:**

There's still a list.

**LEG. VILORIA•FISHER:**

Okay, I'm sorry.

**CHAIRMAN TONNA:**

I just •• Legislator Mystal, no? Okay. Legislator Vilorina•Fisher.

**LEG. VILORIA•FISHER:**

I just ••

**CHAIRMAN TONNA:**

Legislator Foley, did you get an opportunity to go?

**LEG. FOLEY:**

I did, yes. Thank you.

**LEG. VILORIA•FISHER:**

I just wanted to add something to what Legislator Losquadro has said, and that is that as we face the issues of affordable housing, there are many developers who say •• many builders who say that it drives the cost of the housing up to have these, you know, year•long wait or nine

months. And although I see here in your one•page summary that the backlog in the commercial division has been •• begun to see a reduction in residential, it's still going up, okay, I guess because of so many expansions to homes, right? There's been a boom, right, people have been doing a lot of construction and additions to their homes, so I suppose you're just getting more applications, it's just volume.

**MR. HILBERT:**

Most of what you're seeing there in that increase has to do with the fact that the staff came, the new staff came on board in July, and we were not able •• as part of their hiring, we were actually going to keep our senior people in the office to do reviews, okay, during the training period, which ended roughly in September. That was not able to happen. We had people riding together in tandem for training purposes. Since September, we have been keeping at least three field Sanitarians in the office because of the new hires, which has significantly cut into that backlog. The backlog in the residential program right now is approximately ten weeks. Okay. This was prepared in, you know ••

**LEG. VILORIA•FISHER:**

Oh, so that's significant, because you're talking here in this ••

**MR. HILBERT:**

Right. Actually, I looked at the numbers.

**LEG. VILORIA•FISHER:**

•• bullet, it says from 14 to 17 and now it's down to 10, so ••

**MR. HILBERT:**

We're basically a month past ••

**LEG. VILORIA•FISHER:**

Okay.

**MR. HILBERT:**

•• when this was written.

**LEG. VILORIA•FISHER:**

At least we're moving in the right direction, and anything we can do ••

**MR. MINEI:**

But your original premise is correct, too, that their protection of sixty•nine hundred residences as an all•time high, and a portion of it, whatever percentage, is this remodeling factor as well. But it is •• residential applications are at an all•time high.

**LEG. VILORIA•FISHER:**

Thank you.

**CHAIRMAN TONNA:**

Just •• anybody else? All right. Just one last issue, just to get back to the process. Obviously, we have a situation where people are going to be calling and saying can they expedite things, right? We've seen that already, Mr. Sapphire, you say that from time to time. My concern is this, is that we get this process fixed, so that Mr. Sapphire doesn't get those calls. Because what happens is, is this,

Mr. Sapphire, you get that call and now the elected official has to call the County Executive, right? Because you've tried to satisfy him, you've given him the information, and now you say, "Look, I've got to have" •• as you explained, elected official to elected official, that's the only other place to go.

The concern is this. There could be a perception, and I know County Executive Levy, I know him to be one of the most honest, decent men that I've ever met. In the time in the Legislature, we've had many, many issues with regard to policy, and we're diametrically opposed on certain issues. But from the standpoint of his personal integrity, I have never questioned his integrity. But it's a very, very bad precedent to set where there's a perception that people have to now go to a County Executive to •• right, because now what •• what could be said? Well, it could be said that there's a quid pro quo. It could be said that he's actually talking with certain people because of whatever. You know, anybody can make up anything that they want. I know that County Executive Levy would never do that.

My concern, though, is that I think it's a dysfunctional way of dealing with something that should be handled on a departmental level, and, really, even in a •• you know, in a subdivision

of the department, that we would •• if we have this situation working and moving, okay, and is honest and judiciously as everybody wants it to, the County Executive should not be getting calls from Legislators asking him, "Please, expedite an application." It just shouldn't happen. Okay? Thank you.

All right. Any other thoughts? No? All right. Let's go on to the agenda.

### **TABLED RESOLUTIONS**

Okay. We have tabled ***Resolution 1693 (A Local Law to require defibrillators in summer camps)***. It was tabled because of a public hearing. That public hearing, I think, is closed. I'll make a motion to approve. Is there a second?

**LEG. LOSQUADRO:**

Second.

**CHAIRMAN TONNA:**

Second by Legislator Losquadro. All in favor? Opposed? Thank you.

***(Vote: 8•0•0•0)***

### **INTRODUCTORY RESOLUTIONS**

Introductory Resolutions. ***Number 1894 (Re•establishing a Legislative policy for the charging of fees for private well water testing by the Suffolk County Department of Health Services)***. There's a motion by •• is there a motion?

**LEG. VILORIA•FISHER:**

Explanation.

**CHAIRMAN TONNA:**

We don't have our Legal Counsel here, and to tell you quite honestly, you never want me to explain a bill.

**COMMISSIONER HARPER:**

Mr. Chairperson.

**CHAIRMAN TONNA:**

Yes.

**COMMISSIONER HARPER:**

If I might, I would request that this resolution be tabled for us to examine this.

**CHAIRMAN TONNA:**

That's good enough.

**LEG. FOLEY:**

Motion to table.

**CHAIRMAN TONNA:**

Motion to table by myself, second by Legislator Foley. All in favor? Opposed? ***Tabled. (Vote: 8•0•0•0)***

Okay. The next, ***(1928) A Local Law to establish smoke free zone at bus stops.*** That has to be tabled ••

**LEG. NOWICK:**

Has to be tabled.

**CHAIRMAN TONNA:**

•• for a public hearing. I'll make a motion to table, second by Legislator Foley. All in favor? Opposed?

**LEG. FOLEY:**

Please, list me on as a cosponsor of that bill.

**CHAIRMAN TONNA:**

Thank you, sir. Okay? And anybody else wants to be a cosponsor, this is the time to do it, so you don't get the ire of Legislator Bishop.

**LEG. VILORIA • FISHER:**

Okay. Can you put me on there, please?

**CHAIRMAN TONNA:**

Yeah. Thank you.

**LEG. VILORIA • FISHER:**

We're going to get all those moms on Wisteria Lane?

**CHAIRMAN TONNA:**

I can tell you that we have many calls to my district office about people smoking at bus stops that are, you know •• they're problematic for the children.

**LEG. VILORIA • FISHER:**

Listen, I've had to talk to people who are watching kids' sporting events and smoking.

**CHAIRMAN TONNA:**

Right, absolutely, absolutely. Well, we can take it further. Okay, let's start with bus stops. Thank you.

All right. Local •• sorry. ***Resolution Number 1956 (Accepting and appropriating 100% grant funds from the New York State Department of Labor to fund the continuation of "Project Jumpstart")***. I'll make a motion to approve, second by Legislator Nowick. All in favor? Opposed? ***(Vote: 8•0•0•0)***

**LEG. VILORIA • FISHER:**

And place on the Consent Calendar.

**CHAIRMAN TONNA:**

Now I'd like to make a motion to put this on the Consent Calendar, second by Legislator Nowick. All in favor? Opposed? ***Approved. (Vote: 8•0•0•0)***.

Okay. Can I do "same motion, same second"?

**LEG. VILORIA • FISHER:**

Sounds good to me.

**CHAIRMAN TONNA:**

Okay. For **1957 (Amending the 2004 Adopted Budget to accept and appropriate additional 100% Federal Aid passed through from the New York State Office of Alcoholism and Substance Abuse Services to the Department of Health Services, Division of Community Mental Hygiene Services.)** That's on •• that's for both, to put it on the Consent Calendar, approve and put it on the Consent Calendar. **(Vote: 8•0•0•0)**

Okay. I'll make the same motion for **1958 (Amending the Adopted Budget to accept and appropriate additional 100% State Aide from the New York State Office of Mental Health to the Department of Health Services, Division of Community Mental Hygiene Services).** Same motion, same second, same vote •• votes, two.

Same for **1959 (Amending the 2004 Adopted Budget to accept and appropriate additional 100% State Aid from the new York State Office of Mental Health to the Department of Health Services, Division of Community Mental Hygiene Services, for a Home Bases Crisis Intervention Program).** Same motion, same second, same votes. **(Vote: 8•0•0•0)**

Okay. Now, there's **1973 (A Local Law amending Suffolk County Code Chapter 277, in relation to procedures for Criminal History Record Screening).** That has to be tabled. That's subject to a public hearing. I'll make a motion to table, second by Legislator Nowick. All in favor? Opposed? **(Vote: 8•0•0•0).**

Okay. **Number 1974 (A Local Law amending Suffolk County Code Chapter 277, in relation to standards for screening of certification applicants and employees of congregate emergency shelters).** Same reason, we're going to make a motion to table, because subject to a public hearing, seconded by Legislator Nowick. All in favor? Opposed? **(Vote: 8•0•0•0).**

**LEG. FOLEY:**

Mr. Chairman, it's also 2081.

**CHAIRMAN TONNA:**

Yes.

**LEG. FOLEY:**

Which you are cosponsoring.

**CHAIRMAN TONNA:**

On the next page, you see the handwritten note of ••

**LEG. FOLEY:**

It's a Local Law.

**CHAIRMAN TONNA:**

Of a •• yep. We're going to ••

**LEG. FOLEY:**

Table subject to ••

**CHAIRMAN TONNA:**

Make a motion to table.

**LEG. FOLEY:**

Subject to public hearing.

**CHAIRMAN TONNA:**

Yeah. ***2081 (A Local Law prohibiting the sale of tobacco products or herbal cigarettes, rolling papers or pipes to anyone under the age of 19).*** Make a motion to table, second by Legislator Nowick. All in favor? Opposed? ***Tabled. (Vote: 8•0•0•0).***

### **SENSE RESOLUTIONS**

Okay. Now we're on ***Sense Resolution Number 73 (Sense of the Legislature resolution requesting the State of New York to increase funding for education, research and treatment of congenital heart defects).*** Okay. I mean, that sounds like motherhood and

apple pie. I'll make a motion, seconded by Legislator Foley. All in favor? Opposed? **(Vote: 8 •0•0•0)** That's •• okay. And we'll leave it at that.

Okay. Thank you. Meeting's adjourned.

**LEG. FOLEY:**

Mr. Chairman, before you adjourn the meeting, others can leave, but I do have a question for the Commissioner, since we got through the agenda. I think it's important.

**LEG. SCHNEIDERMAN:**

Yeah. We're going to go right into the Affordable Housing ••

**LEG. FOLEY:**

Yeah, but I have to ask him this question. It has to do with flu shots, which I think all of us have had a •• have had a lot of calls from our constituents on, and it's very important. It will take no more than, hopefully, just a few minutes.

Commissioner, can you apprise us of where things stand? I know that •• I know that the Department of Health has requested 7,000 vaccine shots through the State Health Department down to the CDC. Can you tell us where that stands, and if we're going to reschedule some of the canceled flu shot outreach clinics?

**COMMISSIONER HARPER:**

In essence, at this point, we have no indication that we will be receiving that vaccine any time soon. The discussion is still taking place at the State level, and there is an expectation that we, at some point, may receive additional vaccine, but we haven't heard any correspondence indicating that that's coming.

**LEG. FOLEY:**

No correspondence whether it may be December, or January, or February.

**COMMISSIONER HARPER:**

Nothing as of yet, but that is still taking place at the State level.

**LEG. FOLEY:**

Is there any •• just one follow•up. Is there any way for this department to independently investigate other manufacturers, be they in Canada or elsewhere, to make a direct request, as

opposed to going through the bureaucracy?

**COMMISSIONER HARPER:**

That would be difficult for us to do, as is you may be aware the other programs in Canada are not really FDA approved, and, as a governmental agency, essentially, we use drugs that are FDA. So, I would suggest that we wouldn't go that direction. But perhaps, if the CDC or the State manages to obtain the necessary approvals, then we could certainly do that.

**LEG. FOLEY:**

Other than what we've already done, is there any way for this committee and individual Legislators to help you in your efforts to acquire these shots.

**COMMISSIONER HARPER:**

Certainly, any calls that could be made on the State level informing them of the need for additional vaccine in Suffolk County specifically.

**LEG. FOLEY:**

And although I know, but, for the record, who in the State should state people speak to or write to.

**COMMISSIONER HARPER:**

Probably the State Health Department Commissioner, Dr. Novello, or, certainly, the Governor's Office.

**LEG. FOLEY:**

Thank you. Thank you, Mr. Chairman.

**CHAIRMAN TONNA:**

Thank you. Meeting adjourned.

***[THE MEETING WAS ADJOURNED AT 12:20 P.M.]***

***\\_ \\_ Indicates Spelled Phonetically***